The City Council of the City of Raleigh met in regular session on Tuesday, December 20, 1983, at 1:00 p.m. in the City Council Chamber of the Municipal Building with the following present:

Mayor Upchurch, Presiding
Ms. Babb
Ms. Block
Mr. Calloway
Ms. Cates
Mr. Congleton
Mr. Keller
Mr. Walters

The Mayor called the meeting to order and invocation was rendered by the Reverend William Jeffries, pastor of the Longview United Methodist Church after which the following matters were discussed with action taken as shown.

RECOGNITION OF SPECIAL AWARDS

MAYOR PRO TEM - EDWARD A. WALTERS SWORN IN

Mayor Upchurch indicated during the last Council meeting, the Council elected Edward A. Walters as Mayor Pro Tem. He called Mr. Walters forwarded and administered the oath of office as Mayor Pro Tem to Mr. Walters.

NORTH CAROLINA LEAGUE OF MUNICIPALITIES - RESOLUTIONS PRESENTED

Mayor Upchurch read a resolution adopted by the delegates of the North Carolina League of Municipalities 1983 convention in Asheville honoring former Fire Chief Rufus Keith upon his retirement. The resolution was accepted by Mr. Keith.

Mayor Upchurch read a resolution adopted at the 1983 North Carolina League of Municipalities meeting honoring the memory of William T. Edwards, who served as the Street Maintenance Superintendent for 6 years and was an employee of the City of Raleigh for 9 years. The resolution was received by his children - Vicki Teal, Charles Allen Edwards, and W. T. Edwards, Jr.

VOLUNTEER OF THE MONTH CERTIFICATE - PRESENTED TO JANE SCOVILLE

Mr. Upchurch indicated this is a new program and the City of Raleigh has 2000 volunteers. He indicated each month a certificate will be presented to the volunteer of the month. He called on Jane Scoville, indicating she would be receiving the first certificate. He explained Ms. Scoville's work. In accepting the certificate, Ms. Scoville expressed appreciation to Patti Gibson, who encouraged her to continue her work in volunteerism.

CERTIFICATES OF APPOINTMENT - PRESENTATIONS MADE

Mayor Upchurch explained the presentation of certificates of appointment and presented the following certificates: Board of Adjustment - Rhody Dillon; Greenway Commission - Tyler Toulon; Heating, Air Conditioning, Refrigeration and Ventilation Board - Stuart O. Arnold, Rick Babcock, Carrol Bishop, Robert Cooper and Larry Kelley.

CONSENT AGENDA

CONSENT AGENDA - APPROVED AS PRESENTED

Mayor Upchurch presented the Consent Agenda indicating all items are considered to be routine and may be enacted by one motion. If a Councillor requests discussion on an item, the item will be removed from the Consent Agenda and considered separately. The vote on the Consent Agenda will be a roll call vote. No one asked to pull any items. Mr. Calloway moved Administration's recommendation on the items on the Consent Agenda be upheld. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

The items on the Consent Agenda were as follows:

BUDGET CALENDAR - FY 84-85 - ADOPTED

The following calendar is suggested for consideration of the FY 84-85 Budget.

January 17		Preliminary Budget hearing
May 15	A.M.-	News Media briefing prior to Council Meeting with a 1:00 P.M. release restriction
	P.M.-	Presentation of Proposed Budget to City Council at regular meeting
June 5		Public Hearing on Proposed Budget and Revenue Sharing
July 1		Last day to adopt the Budget.

This schedule may be considered for approval. Council indicated, in the 1982-83 budget process, a desire to have a pre-budget hearing in January to receive public input during the budget development period. January 17 is suggested for this pre-budget hearing.

Recommendation: It is recommended that this calendar be approved. Consent Agenda approval - Calloway/Walters - 8 ayes.

COMMUNITY DEVELOPMENT PROGRAM - ANNUAL PUBLIC HEARING - AUTHORIZED FOR JANUARY 17, 1984

Each year, it is necessary to hold public hearings on the annual Community Development Budget. It is proposed that a public hearing be scheduled for the second City Council evening session in January, 1984, for the purpose of receiving citizens input in next year's Community Development program which begins July 1, 1984.

At least three public hearings will be held on the program as required by Federal regulations.

Recommendation: It is recommended that this hearing be held at the Council Meeting on January 17, 1984. Consent Agenda approval - Calloway/Walters - 8 ayes.

SANITARY SEWER EASEMENT EXCHANGE - US 1 NORTH - APPROVED SUBJECT TO ADVERTISEMENT

This is a request for a sanitary easement exchange on the Broughton property, located on US 1 North. The original easement was recorded in Book of Maps 1982, Page 938. The easement exchange is necessary to accommodate the paralleling of an existing sewer main by the developer. All property involved is owned by the same persons.

Recommendation: It is recommended that the City Council approve the exchange of sanitary sewer easements subject to the proper advertisement by the City Clerk. Consent Agenda approval - Calloway/Walters - 8 ayes.

COMMUNITY DEVELOPMENT - LOAN APPLICATION - APPROVED

The following Community Development rehabilitation loan application has been researched and reviewed according to administrative procedures and is recommended for City Council approval.

Case Number: B-83-MC-004
Theodore J. and Diane C. Taylor
606 East Lane Street
Loan Amount: $3,200.00

Recommendation: It is recommended that the loan application be approved. Consent Agenda approval - Calloway/Walters - 8 ayes.

DEPARTMENT OF INSPECTION - AMENDING ORDINANCE - ADOPTED

At the last Council Meeting, Ordinance No. 1983-245 TC 205, establishing the Inspections Department was adopted. That ordinance failed to amend Sections 1-3001 and 3002. These sections refer to the general organization of the City government and should include this revised structure. A copy of the proposed revision is included in the Council Agenda packet.

Recommendation: It is recommended that the ordinance be adopted to correct an omission from the prior proposal adopted on December 6, 1983. Consent Agenda approval - Calloway/Walter - 8 ayes.

ORDINANCE NO. (1984) - 249 TC 206

AN ORDINANCE TO INCLUDE THE DEPARTMENT OF INSPECTIONS IN THE DEPARTMENTAL ORGANIZATION OF THE CITY CODE.

WHEREAS, the Raleigh City Council on 6 December, 1983, enacted Ordinance No. (1983) - 245 TC 205, which established a Department of Inspections; and

WHEREAS, Chapter Three Part One of the Raleigh City Code was not amended to conform to this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF RALEIGH, NORTH CAROLINA that:

Section 1. Section 1-3001 of the Raleigh City Code is hereby amended to add a new subsection which shall read as follows:

"(20) Department of Inspections."

Section 2. Exhibit A entitled Organization, City of Raleigh following Section 1-3002 of the Raleigh City Code is hereby amended to add on the third line a box in

between the Department of Human Resources and Intergovernmental Coordinator, which shall read as follows:

DEPARTMENT
OF
COMMUNITY DEVELOPMENT

Said exhibit is further amended to add on the last line a new box which shall read as follows:

DEPARTMENT
OF
INSPECTIONS

Section 3. All ordinances in conflict herewith are hereby repealed to the extent of said conflict.

Section 4. This ordinance shall become effective January 1, 1984.

ADOPTED: 12/20/83

EFFECTIVE: 1/1/84

WATER AND SEWER EXTENSION - TRAWICK ROAD - APPROVED

A request has been received from Bobby Collins to extend a 16-inch water main along Trawick Road to Marsh Creek Road and then a 16-inch water main in Trawick Road from Marsh Creek Road southward to the southern property line of the Collins property. This is a total line footage of approximately 2,500 feet of major main. In addition to the water system, the request is for permission to extend sanitary sewer to serve the property. This is a sanitary sewer extension of approximately 500 feet.

Recommendation: It is recommended that Council approve this request for the extension of the water and sewer to serve this site on Trawick Road. All extensions would be subject to the engineer acquiring the necessary State construction permits for the utility mains and making sure that all work is done in accordance to City standards. Consent Agenda approval - Calloway/Walters - 8 ayes.

REHAB WARRANTIES - 1116 SPAULDING STREET - 802 SOUTH STATE STREET - APPROVED - FUNDS APPROPRIATED

It is requested that Rehab Warranty Funds be provided for the following rehab cases:

1116 Spaulding Street	- $742.00
802 South State Street	- 194.98
	$936.98

These funds are necessary to satisfy warranty complaints that were not handled by Hodge and Company, the contractor who performed the work.

Both of these rehab contracts were bonded. The company that provided the bond has been notified of the City of Raleigh's intent to make claim. The City will be reimbursed for the funds once they are obtained.

A transfer of funds is necessary:

From:	43-2-5060-0100	Rehab Loans & Grants	$2,500.00
To:	43-2-5060-0200	Rehab Warranties	$2,500.00

Recommendation: It is recommended that the transfer of funds be approved and the rehab warranty funds be provided as proposed. Consent Agenda approval - Calloway/Walters - 8 ayes. See Ordinance 250 TF-11.

UTILITY PAYMENT GUARANTEE - CONCEPT APPROVED - REFERRED TO ADMINISTRATION AND THE CITY ATTORNEY

It is proposed that the City enter into utility payment guarantee contracts with the Wake County Social Services Department to provide assistance to those City utility customers who become unable to pay for their services and who would have their services terminated. Such guarantees would be limited to those customers who can qualify and receive an executed contract guaranteeing their payments from the Social Services Department. This arrangement would allow the City to continue service by DSS in working out the financial arrangements and the City would not risk loss of revenue. To accomplish this objective, it will be necessary to have a contract document generated.

Recommendation: It is recommended that the City Council approve this concept and authorize the City Attorney to work with Administration to prepare an appropriate contract document, and to further check the City Code to ascertain if a Code revision would be necessary. Consent Agenda approval - Calloway/Walters - 8 ayes.

ASSESSMENT CONDITION - THOMAS J. BROSNAHAN/BROOKHAVEN AREA - CONTRACT AUTHORIZED

The previous City Council considered an unusual situation where a property owner had two lots and the property line split the dwelling unit. The City assessed the Brookhaven sewer project on a per lot basis. Under normal circumstances, the owner would have to pay the fee for each lot. Following a review by the Public Works Committee, it was concluded that the City should waive the required assessment for one lot since it could not be built upon under current conditions, provided the owner, Thomas J. Brosnahan, signed a covenant agreeing to pay the fee if he ever revised the lot layout and built on the property. A proposed covenant which would protect the City and with which the property owner is agreeable is included in the Agenda packet.

Recommendation: It is recommended that Council approve the covenant and authorize the Mayor to execute the document on behalf of the City. Consent Agenda approval - Calloway/Walters - 8 ayes.

TAXICAB OWNER'S PERMIT - APPROVED ON SECOND AND FINAL CONSIDERATION

During the December 6, 1983, Council meeting, the following applications for Taxicab Owner's Permit were approved on a first reading with the understanding they would be placed on this Agenda for second and final consideration. Administration recommends approval. The applications were as follows:

Edgar W. Davis, Lincoln Cab Company

Abram Servance and Mrs. Emma S. Servance, Independent Cab and Limousine Service

Archie Bond, Archie's Bus and Taxi Service

Ebony Cab Company

Octavis Wilson

Lincoln Cab Company

William Leonard Roberts
William R. Sanders
Harlie M. Williams
William G. Hockaday
Edward Dwight Cotton

Recommendation: Consent Agenda approval - Calloway/Walters - 8 ayes.

TAXICAB OWNER'S PERMIT - APPROVED ON FIRST CONSIDERATION - TO BE PLACED ON THE JANUARY 3, 1984 AGENDA.

Applications have been received from Otha Harrison Jiles, Jr. and Curtis Donnell Robinson (Ebony Cab Company) for individual owner's permits. Administration has reviewed the applications and recommends approval on the first reading with the understanding they will be placed on the January 3, 1984 Agenda for second and final consideration. Consent Agenda approval - Calloway/Walters - 8 ayes.

ACREAGE FEE REIMBURSEMENT CONTRACT - JOHN D. BULLOCK

A reimbursement acreage fee contract, Water Area 8, No. 20 - 16-inch water line - Duraleigh Road at Hamstead Crossing in the name of John D. Bullock and in the amount of $25,466.40 was presented. Administration recommends approval of the contract. Consent Agenda approval - Calloway/Walters - 8 ayes.

CIVIC CENTER - INFORMATION RECEIVED

The Agenda indicated approval has been granted for the rent free use of meeting rooms E-H at the Civic Center on January 9 and 10, 1984, in order to hold a promotional assessment center for the position of District Fire Chief. The item was received as information.

WS 1982-2 - CONTRACT B - CHANGE ORDER APPROVED - FUNDS APPROPRIATED

Change Order #1 (Final) from Billings and Garrett, Inc. on WS 1982-2 Contract B was presented. This change order is for an addition of $149.48 and is needed for adjustment to final quantities. The Agenda also lists the budget accounts that should be amended if the change order is approved. Administration recommends approval of the change order and the transfer as outlined. Consent Agenda approval - Calloway/Walters - 8 ayes. See Ordinance 250 TF-11.

TRANSFERS - ADMINISTRATIVE - MANAGER'S ACTIONS CONCURRED WITH

Council Members received in their Agenda packet a list of administrative transfers which have been approved by the City Manager according to Council procedure. Concurrence with the Manager's action is recommended. Consent Agenda approval - Calloway/Walters - 8 ayes. The transfers are are follows:

From:	37-2-1135-0444	$875.00
To:	37-2-1135-0100	875.00

From:	01-2-1040-292	356.00
To:	01-2-1040-296	356.00
From:	03-2-5800-536	939.00
To:	03-2-5800-100	626.77
To:	03-2-5800-101	312.23
From:	43-2-5080-100	400.00
To:	43-2-5400-100	400.00
From:	84-2-1401-000	149.48
To:	84-2-1404-201	149.48
From:	01-2-1230-269	425.00
To:	01-2-1230-756	425.00

TRANSFERS - WITHIN VARIOUS ACCOUNTS AND CONTINGENCIES - ORDINANCE ADOPTED

The Agenda listed transfers in various departments and appropriations from various contingencies for purposes as stated in the Agenda with recommendation of approval. Consent Agenda approval - Calloway/Walters - 8 ayes. See Ordinance 250 TF-11.

BID REQUEST - 83-39 - TRUCKS - BID AWARDED TO SIR WALTER CHEVROLET, NORTH STATE FORD TRUCK SALES AND CARDINAL INTERNATIONAL

Pursuant to advertisement as required by law, bids received and publicly opened in the office of the Purchasing Agent on December 13, 1983, for various size trucks with results and recommendations as follows:

Pickup, 1/2 ton, compact

Sir Walter Chevrolet	$ 5,999.00
Bobby Murray Chevrolet	6,145.98
North State Ford Truck Sales	6,206.09
Charlie Wiygul Ford	6,553.61

RECOMMEND: Sir Walter Chevrolet

Pickup, 1/2 ton, standard

Sir Walter Chevrolet	$ 6,600.00
Bobby Murray Chevrolet	6,748.90
North State Ford Truck Sales	6,934.97
Charlie Wiygul Ford	7,175.78

RECOMMEND: Sir Walter Chevrolet

Pickup, 1/2/ ton, standard, 131" W.B.

Sir Walter Chevrolet	$ 6,731.00
Bobby Murray Chevrolet	6,876.73
North State Ford Truck Sales	7,115.18
Charlie Wiygul Ford	7,307.92

RECOMMEND: Sir Walter Chevrolet

Pickup, 1/2 ton, 4-wheel drive

Sir Walter Chevrolet	$ 8,139.00
Bobby Murray Chevrolet	8,169.54
Charlie Wiygul Ford	8,311.59
North State Ford Truck Sales	10,093.96

RECOMMEND: Sir Walter Chevrolet

Pickup, 3/4 ton, cab and chassis, 131" W.B.

Sir Walter Chevrolet	$ 8,280.00
North State Ford Truck Sales	8,391.72
Bobby Murray Chevrolet	8,428.99
Charlie Wiygul Ford	8,593.27

RECOMMEND: Sir Walter Chevrolet

Pickup, 1 ton, crew cab and stake body

Sir Walter Chevrolet	$10,450.00
Bobby Murray Chevrolet	10,754.80

RECOMMEND: Sir Walter Chevrolet

Cab and chassis, 20,000 GVW, 120" C.A.

North State Ford Truck Sales	$11,227.65
Charlie Wiygul Ford	11,883.47

Bobby Murray Chevrolet	12,594.95
Cardinal International	13,466.05

RECOMMEND: North State Ford Truck Sales

Cab and chassis, 20,000 GVW, w/crew cab, 120" C.A.

Cardinal International	$16,800.05
Bobby Murray Chevrolet	17,276.30

RECOMMEND: Cardinal International

Consent Agenda approval - Calloway/Walters - 8 ayes.

TRAFFIC - VARIOUS CHANGES - ORDINANCE ADOPTED

The Agenda presented recommended changes in the traffic code relating to approval of the inventory of existing and extended traffic controls in and near the four major areas to be annexed on December 31, 1983. The Agenda indicated the traffic controls will consist of all regulations which have been inventoried and a logical extension of City controls out to the new corporate limits. The Agenda listed the various controls. The Agenda also presented recommended changes in lane channelization on Dartmouth Road at Six Forks Road as an emergency measure, on-street parking revisions on Martin Street, replacing Stop signs with Yield signs on Lyon Street at Hathaway Road as well as a Stop sign installation on New Market Way at Volant Drive. The Agenda listed the need for the changes and recommendations. Consent Agenda approval - Calloway/Walters - 8 ayes.

ORDINANCE NO. (1983) 251

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Traffic Schedule No. 2 entitled "STOP INTERSECTIONS" be amended by deleting the following:

Lyon Street at Hathaway Road

Amend said schedule further by adding the following:

New Market Way at Volant Drive

Section 2. That Traffic Schedule No. 3 entitled "YIELD INTERSECTIONS" be amended by adding the following:

Lyon Street at Hathaway Road

Section 3. That Traffic Schedule No. 13 entitled "NO PARKING" be amended by adding the following:

Market Street, north side, from Wilmington Street westward 93 feet

Amend said Section further by deleting the following:

Market Street, north side, beginning at a point 42 feet west of Wilmington Street, westward 103 feet
Market Street, south side, beginning at a point 70 feet west of Wilmington Street, westward 57 feet

Section 4. That Traffic Schedule No. 17 entitled "LOADING ZONES" be amended by adding the following:

Market Street, north side, beginning at a point 93 feet west of Wilmington Street, westward 56 feet

Amend said Schedule by deleting the following:

Market Street, north side, west of Wilmington Street 42 feet

Section 5. That all laws and clauses of laws are hereby repealed to extent of such conflict.

Section 6. That this ordinance shall become effective December 27, 1983.

Adopted: 12/20/83 Effective: 12/27/83

ORDINANCE NO. (1983) 252

AN ORDINANCE TO AMEND THE TRAFFIC SCHEDULE OF THE CITY OF RALEIGH NECESSARY FOR THE IMMEDIATE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That Schedule No. 6B4 entitled "CHANNELIZATION" be amended by adding the following:

Dartmouth Drive at Six Forks Road

Section 2. That all laws and portions of law thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance, being an emergency ordinance, shall become effective upon its adoption.

Adopted: 12/20/83

Effective: 12/20/83

ORDINANCE NO. (1983) 256
RE: CODE CHANGES/ANNEXATION CITY COUNCIL AGENDA OF 12/20/83

NORTH BOULEVARD CENTRE, TOWER COMMERCIAL AND 70 WEST
ANNEXATION TRAFFIC SCHEDULE REVISIONS

Add to Traffic Schedule No. 1 (Traffic Signals):

Beltline entrance ramp and New Bern Avenue
Duraleigh Road/Pleasant Pines Road And Glenwood Avenue
Louisburg Road and New Hope Road
Millbrook Road/New Hope Road and North Boulevard
New Bern Avenue and Trawick Road
North Boulevard and Spring Forest Road

Add to Traffic Schedule No. 4 (Through Streets):

Duraleigh Road
New Hope Road

Add to Traffic Schedule No. 5-A4 (45 MPH):

Departure Drive in its entirety
Duraleigh Road from Deep Hollow Drive southward to the City limits
Green Road from Calvary Drive to Spring Forest Road
Louisburg Road from North Boulevard to Dansey Drive
Millbrook Road from North Boulevard to Leaf Crest Court
New Hope Road in its entirety
Spring Forest Road from McHines Place to the eastern City limits

Delete from Traffic Schedule No. 5-A4 (45MPH)

Millbrook Road from Wake Forest Road to U.S. 1 North

Add to Traffic Schedule No. 5-A6 (55 MPH)

Duraleigh Road from Glenwood Avenue to Deep Hollow Drive
Louisburg Road from Dansey Drive to the northeastern City limits

Add to Traffic Schedule No. 5-B2 (35 MPH School Zones):

Spring Forest Road from North Boulevard eastward to the City limits, 7:30 a.m. to 8:30 a.m. and 2:00 p.m. to 3:00 p.m.

Add to Traffic Schedule No. 6-B1 (Channelization):

Departure Drive northbound at Spring Forest Road
Duraleigh Road at Glenwood Avenue
Pleasant Pines Road at Glenwood Avenue
Spring Forest Road eastbound at North Boulevard

Add to Traffic Schedule No. 6-B5 (Channelization):

Departure Drive at Millbrook Road
Green Road at Spring Forest Road
Lake Woodard Drive at Trawick Road
New Hope Road at Louisburg Road
Trawick Road at New Bern Avenue

Add to Traffic Schedule No. 6-B6 (Channelization):

Louisburg Road at New Hope Road

Add to Traffic Schedule No. 6-C2 (Channelization):

Green Road at Millbrook Road
Millbrook Road at Green Road
Millbrook Road at North Boulevard
Spring Forest Road westbound at North Boulevard

Add to Traffic Schedule No. 6-C9 (Channelization):

New Bern Avenue westbound at Trawick Road

Add to Traffic Schedule No. 6-C15 (Channelization):

New Bern Avenue eastbound at Trawick Road
Spring Forest Road westbound at Green Road

Add to Traffic Schedule No. 6-D4 (Channelization):

Glenwood Avenue at Duraleigh Road/Pleasant Pines Drive

Add New Section 6-E6 (Channelization) to Read:

Left lane, left turn; right lane, right turn; remaining three lanes, straight only

Add to Traffic Schedule No. 6-E6 (Channelization):

North Boulevard southbound at Millbrook Road
North Boulevard at Spring Forest Road

Add to Traffic Schedule No. 6-F2 (Channelization):

North Boulevard northbound at Millbrook Road

Add to Traffic Schedule No. 7 (No U-turn):

New Bern Avenue eastbound at the Beltline entrance Ramp located on the east side of the Beltline

Add to Traffic Schedule No. 8-A (No Left Turn):

Private street located north of and parallel to New Bern Avenue connecting Maitland Drive with Tower Shopping Center, westbound at Maitland Drive, 4:00 p.m. to 6:00 p.m.

Add to Traffic Schedule No. 8-C (No Straight Thru):

Maitland Drive southbound at the private street located north of and parallel to New Bern Avenue, 4:00 p.m. to 6:00 p.m.

Add to Traffic Schedule No. 11 (Local Truck Routes):

HH. Duraleigh Road/Blue Ridge Road between Hillsborough Street and Glenwood Avenue
II. Trawick Road in its entirety
JJ. Millbrook Road in its entirety
KK. New Hope Road in its entirety
LL. Departure Drive in its entirety

Delete from Traffic Schedule No. 13 (No Parking):

New Bern Avenue, both sides, from Luther Road to Sunnybrook Road
Spring Forest Road, both sides, from Falls of the Neuse Road to the City limits

Add to Traffic Schedule No. 13 (No Parking):

Departure Drive, both sides, from Millbrook Road northward 150 feet
Departure Drive, both sides, from Spring Forest Road southward 150 feet
Duraleigh Road, both sides, in its entirety
Louisburg Road, both sides, from North Boulevard to the City limits
Millbrook Road, both sides, from Leaf Crest Court to North Boulevard
New Bern Avenue, both sides, from Luther Road eastward to the City limits
New Hope Road, both sides, in its entirety
Pleasant Valley Road, both sides, from Duraleigh Road to Glenwood Avenue
Spring Forest Road, both sides, in its entirety
Trawick Road, both sides, in its entirety

Adopted: 12/20/83

Effective: 1/1/84

END OF THE CONSENT AGENDA

SPECIAL ITEMS

REZONING Z-125-83 - EAST EDENTON STREET - REFERRED TO PUBLIC WORKS COMMITTEE

During the December 6, 1983, Council Meeting, the following report was made on the Planning Commission's section:

This was a request for approval to rezone approximately one acre from Office and Institution-II to Neighborhood Business. CR-3085 from the Planning Commission recommended that Z-125-83 be denied without prejudice.

At the request of the petitioner's attorney, it was agreed to defer action on this item and the Council directed that it be placed on this Agenda for consideration.

Mr. Walters indicated the petitioner is in the audience and he had talked with him prior to the time this case was submitted. He indicated he had also spoken with the CAC, the neighborhood, etc. before the case and since the hearing, and there is a strong feeling of everyone involved that whatever goes on this location would be better than what is there now, which is nothing. He indicated he feels it is the Council's responsibility, if they feel property is not appropriately zoned, to find the appropriate zone and what is the best use of property. Therefore, he feels that this item should be discussed further and he would move that rezoning application Z-125-83 be referred to Public Works Committee. His motion was seconded by Ms. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT OF THE PLANNING COMMISSION

PLANNING COMMISSION CONSENT AGENDA - APPROVED AS AMENDED

Mayor Upchurch presented the Planning Commission Consent Agenda indicating it would be handled in the same manner as the regular Consent Agenda. Mr. Keller requested that CR-3061 (Z-92-83) and CR-4000 (S-164-83) be withdrawn. Ms. Cates requested that CR-3057 (PA-190) and CR-4009 (Rezoning Z-107-83) be withdrawn. Ms. Block requested that CR-3099 (S-163-83) be withdrawn. Without objection, these items were withdrawn. Mr. Congleton moved the Planning Commission's recommendations on the remaining items on the Consent Agenda be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted with all members voting in the affirmative. The Mayor ruled the motion adopted.

The items on the Planning Commission Consent Agenda were as follows:

SUBDIVISION S-20-83 - FOREST SUBDIVISION - APPROVED

This was a request for approval to subdivide 27 acres, zoned Residential-10 and Industrial-I, into 21 lots. The site is currently developed as a drive-in theatre.

The property is located on the west side of US 1 North, just north of Greywood Drive, inside the City Limits.

CR-3094 from the Planning Commission recommended that this request be approved according to a map entitled, "Forest Subdivision," the property of Forest Associates, drawn by John A. Edwards, dated December 8, 1983. Consent Agenda approval - Congleton/Calloway - 8 ayes.

S-102-83 - CEDAR HILLS NORTH CONDOMINIUM PARKING REVISION - APPROVED

This was a request for approval to amend a previously approved condominium project by deleting 10 proposed parking spaces. The site is a 216-unit condominium project on 27.28 acres, zoned Residential-10 and Residential-6.

The property is located at the northeast corner of Millbrook Road and Cedarwood Drive, inside the City Limits.

CR-3095 from the Planning Commission recommended that this request be approved according to a map entitled, "Cedar Hills North Condominium Parking Revision," the property of B & R Associates, drawn by McNeely Associates, dated October 24, 1983. Consent Agenda approval - Congleton/Calloway - 8 ayes.

SUBDIVISION S-159-83 - COLD SPRING ESTATES CLUSTER DEVELOPMENT - DENIED

This was a request for approval to subdivide a 53.8 acre tract, zoned Residential-1, into 51 lots, developed as a cluster development. The site is currently developed with a residential unit.

The property is located at the northern end of Cold Springs Road, just north of Strickland Road, outside the City Limits.

CR-3096 from the Planning Commission recommended that this request be denied according to a map entitled, "Cold Spring Estates Cluster Development," the property of A. Glenn Barwick, drawn by Triangle Engineering and Surveying, Incorporated, dated December 1, 1983. Consent Agenda approval - Congleton/Calloway - 8 ayes.

SUBDIVISION S-161-83 - BASHFORD RIDGE - APPROVED WITH CONDITION

This was a request for approval to subdivide a 21.89 acre tract which is currently undeveloped and zoned Shopping Center (7.75 acres) and Residential-10 (14.14 acres) into 31 lots.

The property is located at the southeast corner of Bashford Road and Hillsborough Road, outside the City Limits.

CR-3097 from the Planning Commission recommended that this request be approved according to a map entitled, "Bashford Ridge," the property of Martin-McInnis, Incorporated, drawn by Jerry Turner and Associates, dated November 1, 1983, with the condition that the deeds for the off-site sewer easements are obtained prior to construction plan approval. Consent Agenda approval - Congleton/Calloway - 8 ayes.

SUBDIVISION S-162-83 - SAGEWOOD SQUARE - APPROVED

This was a request for approval to resubdivide 3.76 acres which are currently vacant into 12 lots, zoned Residential-6.

The property is located west of Falls of the Neuse Road, between Millbrook Junior High School and Weathersfield Townhomes, outside the City Limits.

CR-3098 from the Planning Commission recommended that this request be approved according to a map entitled, "Sagewood Square," the property of Thomas Laney, drawn by Robert T. Newcomb, III, dated November, 1983. Consent Agenda approval - Congleton/Calloway - 8 ayes.

SUBDIVISION S-165-83 - GLENWOOD COMMONS - APPROVED WITH CONDITION

This was a request for approval to subdivide 4.35 acres into nine (9) lots, zoned Residential-10. The property is currently developed with an existing house which is to be moved.

The property is located on the north side of Lynn Road, between Six Forks and Lead Mine Roads, inside the City Limits.

CR-4001 from the Planning Commission recommended that this request be approved according to a map entitled, "Glenwood Commons," the property of Eugene D. and Alice S. Boney, drawn by Envirotek, dated November, 1983, revised November 18, 1983 and November 19, 1983, with the condition that no lots be recorded until off-site sanitary sewer is provided to this project. Consent Agenda approval - Congleton/Calloway - 8 ayes.

SUBDIVISION S-167-83 - LEESVILLE ROAD PHASE I CONDOMINIUM REVISION - APPROVED

This was a request for approval to revise a previously approved plan for 120 units of residential condominiums on 20.01 acres, zoned Residential-6. Section A of Phase 1 is under construction.

The property is located on the northeast corner of Ray Road and Leesville Road, just west of Lynn Road, outside the City Limits.

CR-4002 from the Planning Commission recommended that this request be approved according to a map entitled, "Leesville East, Phase 1 (Autumn Chase) Condominium Revision," the property of Calibre Company of North Carolina, drawn by Little and Little, dated November 15, 1983. Consent Agenda approval - Congleton/Calloway - 8 ayes.

PA-192 - PROFESSIONAL OFFICE BUILDING - APPROVED

This was a request for approval to construct a 7,000 square foot office building on a .75 acre tract which is currently undeveloped and zoned Office and Institution-III.

The property is located on the east side of Six Forks Road, just north of Crown Oaks Drive, outside the City Limits.

CR-4004 from the Planning Commission recommended that this request be approved according to a map entitled, "Professional Office Building," the property of Evergreen Construction Company, drawn by William Robert Wakeham, dated November 16, 1983. Consent Agenda approval - Congleton/Calloway - 8 ayes.

PA-193 - STONEHENGE OFFICE PARK PHASE II - APPROVED WITH CONDITION

This was a request for approval to construct a 20,400 square foot office building on a 1.77 acre site which is currently undeveloped and zoned Office and Institution-III.

The property is located on the south side of Stonehenge Drive, just east of NC 50, outside the City Limits.

CR-4005 from the Planning Commission recommended that this request be approved according to a map entitled, "Stonehenge Office Park, Phase 2," the property of Development Associates, drawn by LaMarr Bunn and Associates, dated November 17, 1983, with the condition that the cross-parking and access agreements be reviewed and approved by the City Attorney's Office and prior to issuing any building permits. Consent Agenda approval - Congleton/Calloway - 8 ayes.

PA-194 - POVLICH OFFICE BUILDING - APPROVED WITH CONDITION

This was a request for approval to construct a 4,535 square foot office building on a .86 acre tract which is currently undeveloped and zoned Office and Institution-III.

The property is located on the north side of Northway Court, just north of Sawmill Road, outside the City Limits.

CR-4006 from the Planning Commission recommended that this request be approved according to a map entitled, "Povlich Office Building," the property of Dr. John F. Povlich, III, drawn by Capitol Designs, Incorporated, dated November 1, 1983, with the condition that the cross-access agreement be reviewed and approved by the City Attorney's Office and recorded prior to issuing any building permits. Consent Agenda approval - Congleton/Calloway - 8 ayes.

PA-196 - LEA FUNERAL HOME - APPROVED

This was a request for approval to construct an 11,200 square foot funeral home on an eight (8) acre tract which is currently undeveloped and zoned Office and Institution-III.

The property is located on the south side of Poole Road, just east of Peyton Street, inside the City Limits.

CR-4007 from the Planning Commission recommended that this request be approved according to a map entitled, "Lea Funeral Home," the property of Mr. Rudy Lea, drawn by C. Lawrence Vaughan, dated November 18, 1983. Consent Agenda approval - Congleton/Calloway - 8 ayes.

REZONING Z-133-83 - NOWELL ROAD - APPROVED AS AMENDED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 146.6 acres from Residential-4 to Industrial-I (1.6 acres) and Office and Institution-I (144 acres), and from Conservation/Buffer to Industrial-I (1 acre).

CR-4012 from the Planning Commission recommended that Z-133-83 be approved as amended; that is, that the property contained in Z-133-83 be rezoned to Thoroughfare District. Consent Agenda approval - Congleton/Calloway - 8 ayes. See Ordinance 253 ZC-131

END OF THE PLANNING COMMISSION CONSENT AGENDA

PA-190 - GLENWOOD AVENUE - WOMANS CLUB DRIVE OFFICE BUILDING - O & I-III SITE PLAN APPROVED - ROAD ALIGNMENT AND CONSERVATION BUFFER - REFERRED TO PUBLIC WORKS COMMITTEE

This was a request for approval to build a 29,016 square foot office building on a 7.02 acre site which is currently undeveloped and zoned Office and Institution-III and Conservation/Buffer.

The property is located on the south side of Womans Club Drive, and on the east side of Glenwood Avenue, inside the City Limits.

CR-3057 from the Planning Commission recommended that this request be approved according to a map entitled, "Glenwood Avenue-Womans Club Drive Office Building," the property of Lincoln Developers, Incorporated, and IMC, drawn by McNeely Associates, dated October 21, 1983.

Planning Director Chapman explained the location, the site plan surrounding development and the proposed extension of Womans Club Drive through the property as a private street. He indicated the Planning Commission had suggested that the Womans Club Drive alignment provide a minimum of 10 feet of separation between the pavement of Womans Club Drive and the curve at Craven and Alamance Drives, with Mr. Chapman pointing out the 10 foot strip could be bermed and landscaped to ensure no connection between Womans Club Drive and the Craven and Alamance Drive, and provide additional visual screening. He indicated, however, the Planning Commission recommended the plan as submitted be approved. Vice Chairman McNeely indicated one of the major concerns of the neighborhood was the extension of the street, but pointed out it is on the Thoroughfare Plan so the developer had to build the road through the property. Ms. Cates indicated she had requested this be withdrawn from the Consent Agenda, pointing out we have had a plan for this particular tract of land before. Ms. Cates moved that the City Council approve the site plan as presented and recommended on CR-3057 as far as it applies to the land zoned O&I-III, but refer the road extension in the Conservation Buffer and its impact to Public Works Committee, prior to final action on that part of the plan. Her motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REZONING Z-92-83 - WADE AVENUE - DENIED

This was a request for approval to rezone approximately 8.5 acres from Residential-4 to Residential-10.

CR-3061 from the Planning Commission recommended that Z-92-83 be approved as amended; that is, that the property contained in Z-92-83 be rezoned to Residential-6 with a

5-foot Conservation/Buffer on the south side (along Wade Avenue), a 15-foot Conservation/Buffer along the west side, and a Conservation/Buffer area in the flood plain area along Beaver Dam Creek, according to a map on file in the Planning Department.

Mr. Keller explained the surrounding zoning and pointed out in his opinion he sees no need to allow any intrusion into this residential neighborhood, therefore, he would move that Z-92-83 be denied. His motion was seconded by Ms. Block. Vice Chairman McNeely of the Planning Commission indicated, without the Planning Commission's suggestion, the petitioner and the neighborhood got together and it was his understanding that there was support from the neighborhood for the rezoning as recommended by the Planning Commission. Ms. Block pointed out there was a valid protest petition on this case and she had a letter from one of the people who signed that petition indicating that person was still standing by their original opposition. Mr. Walters pointed out he understood there was general agreement to the compromise, pointing out a compromise is just that, that not everyone will like it. Ms. Cates indicated she had communication from some people who do not favor this compromise. She stated the petition has changed and she understands the person who intends to develop the land has changed. She indicated she is not sure that it has been proven that this property couldn't be developed economically at Residential-4. She indicated we may need some performance standards on infill on small lots. She indicated, in addition, she understands maybe there is going to be a private drive turned into a public street and she is not for that so she would have to support the denial. Ms. Babb indicated the tenor of the neighborhood, not only on this case but others, has been voiced several times, and she feels we need to stay where we are in this particular area. The motion to deny the request was put to a vote which resulted in all members voting in the affirmative except Mr. Walters who voted in the negative. The Mayor ruled the motion adopted. Mr. Walters indicated he voted no, pointing out if we are going to have an infill policy, we should support it. He stated we cannot promote an infill policy on all R-4 property with our current zoning ordinance. He indicated in his opinion this is an ideal area for infill development and he is not sure that the property is Residential-4.

SUBDIVISION S-163-83 - RALEIGH SOUTHERN INDUSTRIAL PARK REVISION - APPROVED

This was a request for approval to resubdivide 294.4 acres which are currently vacant and zoned Industrial-I into 106 lots.

The property is located on the west side of US 70 and 401 South and the north side of Tryon Road, outside the City Limits.

CR-3099 from the Planning Commission recommended that this request be approved according to a map entitled, "Raleigh-Southern Industrial Park Revision," the property of Raleigh-Southern Industrial Park, drawn by Castleberry-Edgerton Company, dated November 1, 1983, revised November 18, 1983.

Planning Director Chapman explained the Subdivision, surrounding development, etc. Ms. Block indicated she requested the item be withdrawn from the Consent Agenda, pointing out the thing that bothers she is this property is outside the City limits and a portion of it will be served by pump stations. She questioned if we have a policy of who will be responsible for maintenance of these pump station, with Mr. Chapman indicating the developer would be responsible for ownership and operation of the pump station. City Manager Benton explained discussions that have taken place with Cary and Garner concerning this particular area and who would provide service. In response to questioning from Ms. Block, Mr. Benton indicated the developer will have to get a permit from the State as it relates to the pump station and it will be their responsibility. After other discussion, Ms. Block moved the Planning Commission's recommendation be upheld. Her motion was seconded by Mr. Walters and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

SUBDIVISION S-164-83 - REAVES DRIVE CONDOMINIUM - REFERRED TO PUBLIC WORKS COMMITTEE

This was a request for approval to construct a three-unit condominium project, consisting of one (1) existing building and a new duplex on a .38 acre site, zoned Residential-10. The site is currently developed with a single-family unit.

The property is located on the west side of Reaves Drive, just north of Hudson Street, inside the City Limits.

CR-4000 from the Planning Commission recommended that this request be approved according to a map entitled, "Reaves Drive Condominiums," the property of Robert McMahan, drawn by Envirotek, dated October 31, 1983, with the condition that the applicant dedicate an additional three feet (3') of right-of-way along Reaves Drive.

Planning Director Chapman explained the request, surrounding development, etc. Vice Chairman Woodlief indicated the project does comply with the zoning ordinance. Mr. Chapman pointed out there was one variance granted relating to the driveway. Brief discussion took place and Mr. Walters indicated he feels this does need additional study and there is a variance involved. Therefore, he would recommend that S-164-83 be referred to Public Works Committee. His motion was seconded by Mr. Keller. Mayor Upchurch indicated we do need to have infill development but it has to be compatible to the neighborhood. The motion as stated was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

REZONING Z-107-83 - RAY/LEESVILLE ROAD - APPROVED AS AMENDED - ORDINANCE ADOPTED

This was a request for approval to rezone Parts A and B, approximately 17.3 acres, from Residential-4 to Residential-10.

CR-4009 from the Planning Commission recommended that Z-107-83 be approved as amended; that is, that the property contained within the 100 year flood easement above the "permanent pool" level of Lake Lynn, immediately adjacent to the lake, be rezoned to Conservation/Buffer and the remainder of Part A and Part B be rezoned to Residential-10 as requested, according to a map on file in the Planning Department.

Planning Director Chapman explained the request and the proposal as recommended by the Planning Commission. Ms. Cates indicated she has concern about this case and others in this area that involve an increase in density in the Lake Lynn area and she would request that the matter go to Public Works Committee so that the committee could look at the whole question of increased density in the Lake Lynn area. Her motion did not receive a second. Mr. Congleton indicated he too is concerned about the density in the area and impact on the streets in the area, however, this particular tract of property is surrounded by Residential-10 and the lake. At this point, there is not a whole lot the Council can do. Therefore, he would move the Planning Commission's recommendation be upheld. His motion was seconded by Ms. Babb. Ms. Block pointed out 60 people appeared in opposition to the request and indicated that the only reason there was not a valid petition is that the petitioner is the only surrounding property owner. Ms. Block indicated she did not second Ms. Cates motion because she thought that the request should be voted down. She indicated the people in the area do object because of the traffic, preserving the character of the lake, increased congestion, etc. She indicated she would make a substitute motion to deny the request. Mayor Upchurch ruled the substitute motion out of order. Mr. Congleton explained he too was concerned and pointed out he had gone and talked to many of the people who were at the public hearing in opposition to this case and pointed out it was his feeling that many of them were here in opposition to another case relating to a shopping center. He indicated this area is completely surrounded by R-10 and he does not feel it can develop at R-4. He stated he was not in support of it getting to this point, but he would have to vote to approve the rezoning. Ms. Block indicated she could not accept the fact that something can't be developed at R-4 because it is surrounded by R-10. After discussion, the motion to uphold the Planning Commission was put to a vote, which resulted in all members voting in the affirmative, except Ms. Block and Mr. Keller who voted in the negative. The Mayor ruled the motion adopted. See Ordinance 253-ZC-131.

PA-191 - IBM RALEIGH - TO BE PLACED ON THE JANUARY 3, 1984 AGENDA

This was a request for approval to construct a 230,000 square foot office building on a 22.5 acre parcel which is undeveloped and zoned Office and Institution-III, Office and Institution-II and Conservation/Buffer. The proposed site is within the Office and Institution-II portion of the lot. The site has been approved for a two-lot subdivision, but is not yet recorded.

The property is located at the eastern end of St. Albans Drive, east of Six Forks Road, inside the City Limits.

CR-4003 from the Planning Commission recommended that this request be approved according to a map entitled, "IBM Raleigh, " the property of Southwind, Limited, drawn by Parrish and Associates and Stevens Wilkinson, Incorporated, dated October 27, 1983, with the condition that the landscaping and grading plans be revised to retain existing trees in Areas 1 and 2 for screening along the Beltline.

Planning Director Chapman explained the plan surrounding area and the recommendation of the Planning Commission. Mr. Upchurch indicated earlier today, Mr. Benton, Mr. Walters and he, met with some of the property owners in the area to discuss the road alignment. Therefore, he would suggest that this be placed on the next Agenda as a special item and let Administration continue working with the alignment of the road. His motion was seconded by Ms. Babb. Ms. Babb put this into the form of a motion, which was seconded by Mr. Walters. Mr. Walters indicated he had talked to some of the people since the meeting and he feels that unless the road alignment is pinned down, there is going to be tremendous opposition to this plan. Mr. Congleton indicated he sees a lot of positives about this, however, he sees the road as essential to the property owners and the development. The motion as stated was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

REZONING Z-121-83 - POOLE ROAD - DENIED

This was a request for approval to rezone approximately 14 acres from Residential-6 to Industrial-I.

CR-4010 from the Planning Commission recommended that Z-121-83 be denied without prejudice.

Planning Director Chapman explained the location and the recommendation of the Planning Commission. Vice Chairman Woodlief indicated there is an existing Mobile Home on this property that is nonconforming and that is not a desirable use for the property, therefore, the committee recommended it be denied without prejudice. Mr. Calloway explained the citizens of that neighborhood have a lot of pride and he feels that we owe something to that neighborhood in terms of the rezoning of the Wake County School property because of its proximity to the school site, Beltline, etc.

Therefore, he would recommend that Z-121-83 be denied. His motion was seconded by Mr. Keller. Mr. Walters indicated he feels we should do away with accepting any recommendation from the Planning Commission for denial without prejudice if we are not going to honor them at any time. He indicated if we do not know what property should be zoned, then it should be left the way it is presently zoned. He indicated to him denying without prejudice means we do not know what it should be zoned, but we don't think the zoning is correct, and he feels it is the duty of the Council to determine the highest and best use of a property. Discussion took place with Ms. Block pointing out she felt the property should remain zoned Residential-6. The motion as stated was put to a vote, which resulted in all members voting in the affirmative, except Mr. Walters who voted in the negative. The Mayor ruled the motion adopted.

REZONING Z-130-83 - AVENT FERRY ROAD AREA - REFERRED TO THE REAL ESTATE COMMITTEE.

This was a request for approval to rezone approximately 3.5 acres from Conservation/Buffer to Residential-6. CR-4011 from the Planning Commission recommends that the application be approved as requested. Planning Director Chapman explained the location and the proposal. Vice Chairman Woodlief indicated the City Council had mentioned that they were interested in acquiring this property but the City Planning Commission didn't feel it was appropriate to hold it up, however, they did make the suggestion that the City determine if it wants to purchase the property before any zoning occurs. Mr. Walters moved that Rezoning Application Z-130-83 be referred to the Real Estate Committee. His motion was seconded by Mr. Keller and put to a vote and passed unanimously. The Mayor ruled the motion adopted.

COMMITTEES, COMMISSIONS, AND BOARDS

YOUTH COUNCIL ADVISORY BOARD - THREE APPOINTMENTS MADE; ONE VACANCY REMAINING

The City Clerk reported the terms of Bill Parmalee, Charles Burwell, Dorothy A. Petty and Martha Keravouri, all expire December 22. Mrs. Keravouri is not eligible for reappointment because of length of service and Mr. Burwell has moved out of town. Nominations include Mr. Parmalee, Ms. Petty, and Glenda Ebheart. Nominations have not been closed. Brief discussion took place with Mayor Upchurch indicating this is a very important Board and all Council members should look for someone to serve on this Board. Ms. Block moved that nominations be closed and the three persons appointed by acclamation, with the understanding that Mrs. Keravouri would continue to serve until another appointment is made. Her motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

HOUSING APPEALS BOARD - CLERK TO FURNISH INFORMATION

The City Clerk indicated there is one vacancy for an alternate member of the Housing Appeals Boards as the result of a recent ordinance change enlarging this Board. No nominations have been made. Ms. Babb requested that a list of the present Board members be supplied to Council members as well as information as to what this Board does. It was requested that this information be furnished prior to the next Council meeting.

PLANNING COMMISSION - PERRY SAFRAN REAPPOINTED; ONE VACANCY REMAINING

The City Clerk reported the terms of Perry Safran and Malcolm Williams expire on January 5, 1984. Nominations include John Sherbert, Malcolm Williams, Perry Safran and Geoffrey Simmons. Nominations have not been closed. There being no further nominations, Ms. Babb moved that nominations to the Planning Commission be closed. Her motion was seconded Mr. Walters and put to a vote which passed unanimously. A ballot vote resulted as follows: Sherbert - 3 (Babb, Walters, Keller); Williams - 4 (Cates, Block, Calloway, Congleton); Safran - 5 (Cates, Babb, Calloway, Congleton, Upchurch); Simmons - 3 (Block, Keller, Upchurch). The Clerk announced the reappointment of Perry Safran to a two-year term on the Planning Commission.

A second ballot vote resulted as follows: Sherbert - 3 (Babb, Walters, Keller); Williams - 4 (Cates, Block, Calloway, Congleton); Simmons - 1 (Upchurch). Since no person received 5 votes, it was agreed to carry this over until the next meeting.

GREENWAY COMMISSION - NOMINATIONS MADE

The City Clerk reported the term of Judd Ammons expires February 5 and the term of David Mallette, Sr. expires February 18, 1984. Mr. Mallette has indicated he does not wish to continue serving. Nominations include Will Hudson and Judd Ammons. Nominations have not been closed. Mr. Calloway indicated he had nominated Mr. Hudson, and because of some information he has received, he would like to withdraw Mr. Hudson's name and nominate Paul Thompson. Mr. Keller nominated Tom Quay. Ms. Block nominated Charles Meeker. No further action was taken.

MAYOR'S COMMITTEE ON SERVICES TO THE HANDICAPPED - INFORMATION RECEIVED

The City Clerk indicated there are a number of terms expiring on this committee and indicated she had sent the Council members a listing of the entire committee for their information. She stated in the past, the Mayor has worked with the Chairman of the committee and presented a slate of suggested committee members who desire to serve for consideration of Council. Council members may add interested people to the

slate and the total list would be confirmed by the Council. She questioned if this is the route the Council would like to take. Mr. Upchurch indicated he had talked with the Chairman of the Commission and he would suggest we continue this way. Without objection, this was agreed to.

HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY COMMITTEE - NOMINATIONS MADE

The City Clerk indicated she had received information that Peter Andrews, who was recently reappointed, could not serve. Mayor Upchurch indicated he had received a letter from Mr. Andrews, who indicated he had served for two terms and, therefore, he feels someone else should have the opportunity to serve and he would suggest either a woman, a minority, or a minister. Mr. Congleton nominated Dr. Ann McGee of the Wake County Council on Aging. No further action was taken.

REPORT AND RECOMMENDATION OF THE LAW AND FINANCE COMMITTEE

SUBDIVISION S-128-83 - MARLOWE SUBDIVISION - DENIED

Chairman Keller indicated the Law and Finance Committee recommends this subdivision be denied as it does not show access for the City Park through Berkley Drive. On behalf of the committee, Mr. Congleton moved the recommendation be upheld. His motion was seconded by Ms. Babb and put to vote which passed unanimously. The Mayor ruled the motion adopted.

BROOKHAVEN PARK MASTER PLAN - APPROVED

Chairman Keller reported the Law and Finance Committee recommends approval of the Brookhaven Park Master Plan showing access to the south from Berkley Drive and access to the north through either Calton or the Gill property, whichever develops first. He indicated the plan being recommended for approval was available at the meeting. The plan was briefly explained by City Manager Benton. Mr. Keller moved the recommendation be upheld. His motion was seconded by Ms. Babb. Ms. Cates indicated she had a problem with the words "whichever develops first" as it seems to her that one of the access routes would be preferable and we should designate that at this point. She questioned if the committee is sure that is the way they want to word the recommendation. Mr. Keller indicated that is exactly what they wanted to say, pointing out this Park plan has been pending a long time. He stated everyone feels that we need access from the north and from the south and it was felt we need the option of coming through the Gill property or the Calton property. Both would be suitable. He stated basically we are talking about two accesses to the park, one from the north and one from the south. Ms. Cates indicated she still has a problem with the words "whichever develop first" and she would like further discussion. She questioned if we could leave this as a discretionary thing or indicate that we want access from the north, but not hold up the Park plan. Mr. Keller indicated this would not be holding up the Park plan. He pointed out the Park plan is landlocked, and if we make this statement that we do want access from the south through Berkley and access to the north, then it would not be landlocked, but we could proceed as we do know, we can get access. Ms. Cates pointed out the decision of how the access from the north will be provided would be left up to whoever submits their development plan. Ms. Block suggested saying we would take both. Lengthy discussion took place as to how the recommendation or motion should be worded, after which, Mr. Keller restated the motion to indicate that the Law and Finance Committee recommends approval of the Brookhaven Park Master Plan showing access to the south through Berkley Drive and access to the north through either Calton Drive or the Gill property, with the understanding that the specific access route from the north would be determined at a later date. The restated motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REZONING Z-108-83 - CREEDMOOR ROAD - APPROVED - ORDINANCE ADOPTED

Chairman Keller reported the Law and Finance Committee recommends that rezoning application Z-108-83 be approved as requested; that is, rezoning Parcel 1, Tax Map 350, from Residential-4 to Residential-6. This involves approximately 25.8 acres located on Creedmoor Road. On behalf of the committee, Mr. Keller moved the recommendation be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 253 ZC-131.

REZONING Z-93-83 - SIX FORKS ROAD - PROPERTY REZONED TO O&I-III - ORDINANCE ADOPTED

Chairman Keller reported the Law and Finance Committee recommends this property, being Parcels 66 and 67, Tax Map 379, be rezoned to Office and Institution III. This covers approximately 2.6 acres located on the east side of Six Forks Road at its northern intersection with Windel Drive. On behalf of the committee, he moved the recommendation be upheld. His motion was seconded by Mr. Congleton and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1983) 253 ZC 131

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 10 of the City of Raleigh Code which includes the Zoning District Map, be and the same is hereby amended as follows:

(a) Six Forks Road, east side, at its northern intersection with Windel Drive, being Parcels 66 and 67, Tax Map 379, approximately 2.6 acres rezoned to Office and Institution-III District. (Z-93-83)

(b) Part (A): Ray Road and Leesville Road, equidistant between, north of the property owned by the Wake County Soil and Water Conservation District (Lake Lynn), approximately 15.4 acres and being Parcel 60, Tax Map 349.

Part (B) Approximately 1,000 feet west of Ray Road, three adjoining lots, being Parcels 29, 30 and 33, Tax Map 349, approximately 1.9 acres.

Above areas rezoned as follows: That the property contained within the 100 year flood easement above the "permanent pool" level of Lake Lynn, immediately adjacent to the lake, be rezoned to Conservation/Buffer and the remainder of Part A and Part B rezoned to Residential-10 according to a map on file in the City of Raleigh Planning Department. (Z-107-83)

(c) Creedmoor Road, west side, between Lynn Road and Howard Road, (approximately 1,500 feet north of Lynn Road), being Parcel 1, Tax Map 350, approximately 25.8 acres rezoned to Residential-6 District. (Z-108-83)

(d) Nowell Road, west side, between N.C. Highway 54 and Old Trinity Road, being Parcel 252 and a portion of Parcel 19, Tax Map 519; and Parcel 58, and portions of Parcels 130 and 214, Tax Map 490, approximately 146.6 acres rezoned to Thoroughfare District, according to map on file in the City of Raleigh Planning Department. (Z-133-83)

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective December 20, 1983.

FINANCIAL STATEMENT - FY 82-83 - ACCEPTED - ADMINISTRATION TO IMPLEMENT RECOMMENDATIONS

Chairman Keller reported the Law and Finance Committee recommends acceptance of the FY 82-83 Annual Financial Statements as presented with the direction to Administration to proceed with implementing the recommendations as outlined in the statement where possible. On behalf of the committee, he moved the recommendations be upheld. His motion was seconded by Mr. Congleton and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

LIMITED HOME BUSINESS - BOARD OF ADJUSTMENT ASKED TO UPHOLD PRESENT ORDINANCE; SATELLITE DISH QUESTION - REMAINS IN COMMITTEE

Chairman Keller reported the Law and Finance Committee recommends that no change be made in our present ordinances relating to limited home business and further recommends that the Board of Adjustment be encouraged to uphold the exiting ordinances relating to limited home businesses. The committee further recommends that the item remain in committee to discuss a second request for clarification relating to satellite dishes. On behalf of the committee, he moved the recommendation be upheld. His motion was seconded by Ms. Babb. Discussion took place with Mr. Walters indicating he sees absolutely nothing wrong with having a business in a garage. He indicated he feels there is going to be problems and this was discussed briefly. The motion as stated was put to a vote, which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

OBERLIN ROAD - REQUEST FOR VARIANCE BY WHITE OAK PROPERTY - DENIED

Chairperson Block indicated the Public Works Committee recommends the request for variance to allow the construction of nine units rather than the allowable eight units be denied. On behalf of the committee, she moved the recommendation be upheld. Her motion was seconded by Mr. Calloway. Ms. Block briefly explained the discussion that took place in the Public Works Committee, after which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

AR-1002 - PLEASANT VALLEY ROAD - RESOLUTION ADOPTED; METHODS OF ASSESSMENT - REFERRED TO PUBLIC WORKS COMMITTEE

Chairperson Block reported the Public Works Committee recommends adoption of a resolution confirming assessment charges as outlined in Assessment Roll 1002 and further recommends that an item relating to the method of assessment be referred to the Public Works Committee for further study. On behalf of the committee, she moved

the recommendation be upheld. Her motion was seconded by Mr. Calloway. Ms. Block pointed out there are five or more projects being assessed under this method, therefore, they felt this should be continued, however, the committee wanted to study the assessment method. The motion as stated was put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 417

A RESOLUTION CONFIRMING SPECIAL WATER ASSESSMENT ROLL NUMBER 1002

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That pursuant to notice of the completion of the assessment roll and notice of the meeting of the City Council hereinafter referred to, published according to law in The Raleigh Times, a newspaper legally qualified to publish legal advertising, and following a public hearing of allegations and objections of all interested persons appearing and making proof in relation thereto at a meeting of the City Council for that purpose held on the 20th day of December, 1983, at the time and place fixed in accordance with statute, the City Council of the City of Raleigh does hereby approve, ratify and confirm the assessments heretofore made by Resolution (1983) 383 adopted on the 3rd day of November, 1983, which assessments appear on "The City of Raleigh Special Water Assessment Roll Number 1002," against the lots and parcels of land abutting directly on the improvements, according to the extent of their respective frontage thereon, all as shown on said assessment roll which is hereby incorporated into and made a part of this resolution by reference thereto, the assessment roll being on file in the office of the City Clerk and Treasurer.

Section 2. That from the time of the adoption of this resolution confirming the said assessments, the assessments embraced in the aforesaid assessment roll shall be a lien on the real estate against which the same are assessed as provided by Statute.

Section 3. That the terms and manner of the payment of the assessments herein provided for shall be as follows: That said assessment shall be payable in cash, or if any property owner should so elect and give notice of the fact in writing to the City of Raleigh in accordance with provisions of Article 10 of Chapter 160A of the General Statutes of North Carolina, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of 6% per annum from the date of confirmation of the assessment rolls payable annually upon the unpaid balance of the assessment.

Section 4. That the assessments confirmed by this resolution and all payments of principal and interest thereof, shall be recorded in "The City of Raleigh Special Assessment Book" which shall be maintained and kept by he City Revenue Collector, who is hereby charged with the duty of collecting and accounting for all sums of principal and interest assessed by this resolution.

Adopted: December 20, 1983

REPORT AND RECOMMENDATION OF THE REAL ESTATE COMMITTEE

SOUTH SALISBURY STREET - PURCHASE OF PROPERTY BY CITY AUTHORIZED - FUNDS APPROPRIATED

Chairman Walters reported the Real Estate Committee recommends that the City purchase the property at 600 South Salisbury Street for the amount $77,500 and appropriate the funds from Urban Renewal Fund Account 30-2-1000-0100. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 250 TF-11.

COMMUNITY DEVELOPMENT - OFFERS TO PURCHASE - AUTHORIZED

Chairman Walters reported the Real Estate Committee recommends the offers to purchase on property as recommended by the Housing Authority and as shown below be approved. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Ms. Block and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The properties were as follows:

Parcel	Approved Value	Approved Offer
211 Freeman Street B00014-0004	$35,000.00	$35,000.00
504-512 E. Martin Street B0003-0011 thru B0003-0014	$10,800.00	$11,025.00
709-711 E. Davie Street B0009-0030 and 0031	$ 3,750.00	$ 4,384.00
419-423 S. Swain Street B0059-0003, 0004 and 0005	$ 9,300.00	$10,683.00
Portion of 425-427 S. Swain Street	$ 200.00	$ 200.00

BLOUNT STREET - ACCEPTANCE OF PROPERTY - AUTHORIZED

Chairman Walters reported the Real Estate Committee recommends acceptance of an offer to dedicate 4.91 acres of property located at the end of South Blount Street from Jyles J. Coggins. Mr. Walters indicated this property is valued at $160,000. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

NEW BERN PLACE - ROYSTER LOT - INFORMATION RECEIVED

Chairman Walters reported the City is continuing negotiations to purchase the Royster Lot on New Bern Place and if not successful, condemnation action will be commenced in accordance with previous City Council authority. The item was received as information.

REPORT AND RECOMMENDATION OF THE PARKS AND RECREATION ADVISORY BOARD

CARALEIGH PARK LAND - REFERRED TO THE REAL ESTATE COMMITTEE

Carol Sawacki, representing the Park and Recreation Advisory Board, indicated at their meeting on November 16, 1983, the Board recommended that consideration of condemnation be applied to acquire land recently discussed for the Caraleigh area. The property is located at the dead end of Ileagnes Road and Peach Road. Ms. Sawacki explained that there is a park in this general vicinity, but it is not in a safe radius because of the railroad track, etc. She indicated this involves about 18 acres of property zoned Residential-10. The property is flat and an excellent piece of property for a park site. She indicated the Parks Board felt if the City could not acquire the property that it should consider condemnation. She indicated the Real Estate agent is looking at a piece of property at the other end of Peach Road and this was discussed briefly. Ms. Block indicated she understood the property under consideration belonged to the State. Ms. Cates moved that the request for park land in Caraleigh be referred to the Real Estate Committee. Her motion was seconded by Ms. Block and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

THE COUNCIL TOOK A BREAK BETWEEN 2:20 and 2:30 p.m.

LEAGUE OF WOMEN VOTERS REPRESENTATIVE - INTRODUCED

Mayor Upchurch introduced Ellen Lyle indicating Ms. Lyle is an observer with the League of Women Voters. He welcomed Ms. Lyle to the meeting and future meetings. Ms. Lyle indicated she had been living in Raleigh for about 3 months, explaining she moved here from Bristol, Tennessee. She indicated it is a very exciting place, pretty place, but quite a congested place to live. She explained she belonged to the League in Texas and had observed City Councils in Texas and Tennessee, as well as the fact that she has experience in newspaper reporting.

REPORT AND RECOMMENDATION OF THE CITY MANAGER

INSPECTIONS PROCEDURES - PROPOSED CHANGES - PUBLIC HEARING AUTHORIZED

At present, the City Code provides that individuals needing "building" inspections can call the Inspections office during the first 30-minutes of each day for same day inspections. This results in the Inspectors having to wait for an hour in the office prior to going into the field in order to receive calls and organize work schedules.

It is proposed that the policy be revised to delete this section of the Code. If such action is taken, the policy would be to accept requests for inspections up to 4:00 p.m. the business day prior to the day the inspection would be made.

Recommendation: It is recommended that a public hearing be authorized to consider deletion of the portion of Section 7-4024(b)(2) of the Code which refers to the 30-minute provision and that the hearing be scheduled for January 19, 1984.

City Manager Benton explained the present procedures which requires the Inspectors to stay in the office for some 30 minutes at the beginning of each day and then schedule their inspections, which delays them getting out into the field. He indicated in talking with various people involved, it is felt it would be more efficient to allow the deadline to be 4:00 p.m. the day prior to the inspections and then the Inspector can get out of the building earlier in the morning. Ms. Block indicated in this day of modern communications, she feels like the inspection request could be called in the day before and she would support making this change. Therefore, she would move that Administration's recommendation for the public hearing be upheld. Her motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

OPTIMIST/WORTHDALE CENTER RENOVATION - ADMINISTRATION AUTHORIZED TO SOLICIT PROPOSALS FOR ARCHITECTURAL SERVICES

The $8 Million Bond Referendum indicated that approximately $250,000 would be expended at each of these centers to enlarge the gym and add a room. The adopted Capital Improvements Program provides for these projects to be built in 1984-85. Funds have not been specifically allocated to these projects.

The Parks and Recreation Director suggests that the City proceed with architectural work at this time to be able to move forward after July, 1984.

If the Council is firmly committed to the construction of these improvements in 1984-85, it would be appropriate to proceed with the design work.

Recommendation: If Council is firm in its plans for these facilities, it would be appropriate to authorize Administration to solicit proposals for architectural services. These proposals would be brought to Council for consideration and approval.

Brief discussion took place with Ms. Block moving that we defer this and consider it along with the budget process relating to the Capitol Improvement Program. Her motion did not receive a second. Mr. Calloway questioned if delaying it until January or February would seriously delay the project. Ms. Babb questioned if the question is whether the Council is committed to doing this work. She stated she for one is firmly committed to doing this work and she is ready to go on with it and proceed with the architectural selection process. She stated she feel the Council has made a commitment to this neighborhood. Ms. Babb moved that Administration be directed to solicit proposals for the architectural services for the Optimist/Worthdale Center renovation. Her motion was seconded by Mr. Calloway. Ms. Block pointed out she had read that the City had over spent some of the bond issue money and she feels it should be restudied. In response to questioning, City Manager Benton indicated the pool project has been overexpended, with Ms. Block pointing out it seems we should have some idea of how much bond funds we have before committing more. She indicated she knew the City had an obligation to the people to do the work passed in the Bond Referendum, however, she feels the City also had a commitment to the people that the City was only going to spend a certain amount. Mr. Benton indicated we could go ahead with the solicitation process and coordinate it with the CIP review. The motion as stated was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

ANNEXATION PROGRAM - FY 84-85 - REFERRED TO INTERGOVERNMENTAL COMMITTEE

The 1983 annexation law, which was adopted by the General Assembly, requires a lengthy process for the consideration of areas to be annexed. Due to this prescribed process, Administration is not recommending any "forced" annexations for this fiscal year. However, to consider annexation of areas in FY 84-85, it is desirable to now initiate the process of review.

Recommendation: It is recommended that the FY 84-85 Annexation Program be referred to an appropriate committee for review and subsequent recommendations to Council.

City Manager Benton indicated because of the complexities of the new law and time involved, the City is not recommending an active list for annexation for June 1984. He pointed out because of the complexities of the annexations that will be affective December 31, 1983, the City made this decision. Mr. Upchurch indicated later in the meeting he plans to present some guidelines on Committee items, and one of these guidelines is that annexation questions be referred to the Intergovernmental Committee because of the ETJ, Comprehensive Planning, etc. Without objection, the FY 84-85 Annexation Program was referred to the Intergovernmental Committee.

SIR WALTER - JURY AND PROCESS APPROVED

The City Council has established this program to recognize those individuals or groups who have made outstanding contributions which enhance the appearance of Raleigh. The program provides for submission of proposals in January, 1984, a review panel, and a final decision by the City Council in February, 1984, to coincide with our Home and Garden Show.

It is appropriate to note that this program is now underway and individuals may receive entry forms from the Planning Department. Council Members will have a copy of the program involved in their Agenda packet. Please note that the City Council should appoint a review jury to advise the Council.

Recommendation: It is recommended that the process for designating the jury be commenced.

City Manager Benton indicated the following is a list of jurors who have been nominated for consideration by the City Council to serve on the jury: Appearance Commission - Norma Burns; Historic Properties Commission - Barbara Wishy; Park and Recreation Advisory Board - Robert Monroe; Planning Commission - Hal McNeely.

Brief discussion took place with Mr. Upchurch indicating he would suggest that Mr. Keller be Chairman of this Committee. Without objection, Mr. Keller was named Chairperson, and by general consensus, the Council appointed the list of jurors as recommended.

Brief discussion took place as to how this award would be publicized, with Ms. Block pointing out she would encourage all Council Members and all people, as they drive through the City, to look at examples and make recommendations for this award.

PRIVILEGE LICENSE REVISION - STATE SCHEDULE B ADOPTED BY REFERENCE

The City's Privilege (Business) License ordinance includes fixed fee amounts for certain businesses which is intended to follow the State's Business License provisions. Our ordinance also has a gross receipts formula for computing the license for those businesses not specifically referenced by the State law.

Periodically, the State law is revised to adjust the fixed fees or delete a business from the fixed fee schedule. Our efforts have been to follow the State's action with a Code adjustment. This is sometimes overlooked or not ascertained by the City.

It would be desirable to amend the City's ordinance to adopt the State Schedule B for licenses by reference.

Our assessment is that the general impact would be minimal. There could be an increase in cost when a particular business is removed from the flat rate or fixed fee and then falls under the City's gross receipts provision.

Recommendation: It is recommended that the City Code be revised to adopt the State Schedule B by reference.

City Manager Benton briefly explained Schedule B privilege license, pointing out the City tries to keep up with the State Statutes as to the businesses included in Schedule B. He stated this is just a suggestion to modify the City Code to provide that we would adopt the State's Schedule B by reference. Brief discussion took place and Mr. Walters moved the recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ORDINANCE NO. (1983) - 254

AN ORDINANCE TO ADOPT "SCHEDULE B" PRIVILEGE LICENSE TAXES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH AS FOLLOWS:

Section 1. Part I of the "SCHEDULE OF PRIVILEGE LICENSE TAXES" of the City of Raleigh, entitled "SPECIFIC TAXES UPON BUSINESSES LIMITED UNDER 'SCHEDULE B', REVENUE LAWS OF NORTH CAROLINA, G.S. CH. 105, ART. 2", as amended, is hereby repealed.

Section 2. A new Part I of the "SCHEDULE OF PRIVILEGE LICENSE TAXES" is hereby adopted and shall continue to be incorporated by reference into the Raleigh City Code under Code Section 2-2031 and Section 5 of Ordinance (1979) - 262, and shall read as follows:

"PART 1

ADOPTION AND INCORPORATION BY REFERENCE OF 'SCHEDULE B', REVENUE LAWS OF NORTH CAROLINA, G.S. CHAP. 105, ART. 2

With respect to all businesses enumerated in 'Schedule B' of the Revenue Laws of the State of North Carolina, and for which 'Schedule B' provides a maximum tax to be levied by cities and towns, the City of Raleigh hereby adopts and incorporates by reference these provisions of State law, as the same may be amended from time to time, and shall accordingly levy and collect a privilege license tax in the maximum amount designated for each business categorized under 'Schedule B'."

Section 3. This ordinance shall be effective upon adoption.

ADOPTED: 12/20/83

EFFECTIVE: 12/20/83

HILLSBOROUGH STREET TASK FORCE - ITEMS 1, 2 and 5 - APPROVED; ITEMS 3 and 4 REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

In January, 1982, the City began an effort to study the area along Hillsborough Street. Since that time, the Council has taken action on various recommendations which have been made by the special Task Force.

Council Members received a status report and suggested action items in their Agenda packet. The report identifies specific recommendations concerning transportation, which is the area yet to be acted upon by the Council. The Transportation items were held until the State made a decision on the proposed Hillsborough two-way proposal. Since that decision has been made, it would be appropriate to consider the Transportation proposals.

It should be noted that several of the Transportation Capital Projects involve funding and should be considered in conjunction with the annual update of the Capital Improvements Program.

Recommendation: It is recommended that the City Council approve the Transportation recommendation with the understanding that funding schedules would be reviewed in conjunction with the City-wide Capital Improvements Program. Council may wish to refer Items 3 and 4 to an appropriate committee to discuss implementation steps.

The following are the Transportation recommendations which have not been adopted by the City Council. They have been recommended by City Administration:

1. A detailed traffic study along Hillsborough Street should be conducted as part of the total update of our thoroughfare plan including exploring proposals to connect Youth Camp Road to Beryl Road and Beryl Road to Gorman/Faircloth Street.

2. Accelerate the completion of the following capital improvements in conjunction with the review of our capital improvements program.

   - Gorman/Faircloth Streets;
   - Oberlin Road/Ferndell Lane;
   - Blue Ridge Road to Western Boulevard; and
   - Western Boulevard/Dawson and McDowell Streets

3. The City of Raleigh, North Carolina State University and the North Carolina Department of Transportation should develop a program for fringe parking/shuttle service.

4. The City should encourage North Carolina State University to develop facilities and policies to offset current deficiencies in off-street parking. The University should also develop an educational program on pedestrian, motorist and bicyclist laws.

5. The City Council should recommend that the Appearance Commission be charged with investigating and designing graphic and trailblazing systems for use in the Hillsborough Street corridor. This effort should be undertaken in consultation with the City and State Departments of Transportation.

Brief discussion took place, after which, Mr. Walters moved the City Council approve recommendations 1, 2 and 5 as outlined and refer recommendations 3 and 4 to the Intergovernmental Committee. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

PERRY CREEK/NEUSE BASIN POLICY - PROPOSED ORDINANCE AND RESOLUTION - PUBLIC HEARING AUTHORIZED

The City Council has previously adopted a policy to address the long range plan for providing sanitary sewer services to the Perry Creek and Neuse Basin area. It is necessary to adopt amendments to the City Code which will incorporate the policy for development administration.

Council Members received in their Agenda packet a proposed ordinance and a resolution to amend the Comprehensive Plan. It is necessary that a public hearing be held on these proposals prior to adoption.

Recommendation: It is recommended that the City Council authorize a public hearing on the proposed ordinance and resolution for the January 17, 1984, Council Meeting.

City Manager Benton explained this item pointing out the Public Works Committee had studied this in detail and the City Council had approved the concept, and this was the proposed ordinance to put it into the code. He indicated the resolution would amend the Comprehensive Plan to clarify the water and sewer service areas. He pointed out it would be necessary to have a public hearing on both of these items. Mr. Upchurch briefly explained the history of this item and encouraged all Council Members to review the proposed ordinance and resolution in detail. Ms. Block moved Administration's recommendation be upheld and the item sent to public hearing on January 17, 1984. Her motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

JULY FOURTH CELEBRATION - APPROVED - FUNDS APPROPRIATED

It is necessary to commence planning for the 1984 celebration at the State Fairgrounds. Because of the large crowds, it is proposed that the City's funding for the event be increased to $17,000. The cost in 1983 was $14,500.

Recommendation: It is recommended that the City Council authorize the City's participation in this annual event and approve the following funds transfer:

Transferred From:		
01-2-1040-0001	Council Contingency	$17,000.00
Transferred To:		
01-2-6010-0286	Fourth of July Celebration	$17,000.00

City Manager Benton indicated this is a very popular program and seems to grow each year. Therefore, the Parks and Recreation Department has suggested an increase in funding. After brief discussion, Ms. Babb moved approval of the 1984 July Fourth celebration and appropriation of funds as requested. Her motion was seconded by Mr. Congleton and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 250 TF-11.

LOWER WALNUT CREEK GREENWAY - CONTRACT AWARDED TO BARRETT KAYES AND ASSOCIATES - FUNDS APPROPRIATED

On November 3, 1983, the City Council approved retention of the firm of Barrett Kayes and Associates to provide consulting services on this project subject to an appropriate agreement being negotiated.

Administration has negotiated an agreement for this project and a copy is included in the Council Agenda packet.

The fee is $27,298 fixed fee inclusive of Contract Administration.

Recommendation: It is recommended that the professional services agreement be approved and that the following transfer of funds be approved to set up the proper budgetary accounts.

Transferred From:
37-2-8985-0300 Walnut Creek Greenway $27,298.00

Transferred To:
37-2-8985-0302 Walnut Creek Greenway Design $27,298.00

City Manager Benton indicated this includes construction and contract administration. Ms. Block questioned if we hadn't been doing this in-house previously and why we need an outside architect. City Manager Benton indicated this is a very unusual situation as most of the area is in the Flood Plain and we do not have the expertise and the time to come up with a plan for the area. He indicated we have done some survey work in the area and it is a big challenge, and everyone felt we needed to retain outside professional services. Barrett Kayes indicated much of this area is in the Flood Plain, it is swampy and contains alluvial soils, there is a mosquito problem, water and vegetation problem, and there is going to be some difficulty in trying to stabilize the land to support a greenway trail in these conditions. Mr. Walters pointed out the problem extends beyond the greenway, pointing out the people in the Beverly Drive area have had flooding problems for years, and it is hopeful in constructing this greenway, it will also help alleviate some of the flooding problems. Brief discussion took place on what work would be done and what is covered by the contract. Ms. Cates indicated she was on the Greenway Commission when this was discussed and they had looked at this as a way of protection of the environment and wetlands. She indicated there have been problems in getting the greenway work underway because of time restraints and it is felt some of this work should be farmed out. Mr. Calloway moved that Administration's recommendation be upheld and the contract awarded to Barrett Kayes and funds appropriated as outlined. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1983) 250 TF 11

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 21, 1983, and included in the budget for fiscal year ending June 30, 1984, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and the same are hereby transferred for the purpose shown:

CODE	ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	30-2-1000-0100	Council Reserve	$ 77,500.00
To	30-2-5000-0100	Salisbury Street Land	77,500.00
Purpose: For purchase of property at 600 South Salisbury Street.			
From	43-2-5060-0100	Rehab Loans & Grants	$ 2,500.00
To	43-2-5060-0200	Rehab Warranties	2,500.00
Purpose: To provide funds for rehab warranty items in cases where contractors fail to honor their one year warranty.			
From	01-2-1040-0001	Contingency	$ 6,500.00
To	01-2-3050-0236	Computer Hardware	6,500.00
Purpose: To provide funds for acquisition and maintenance of a microcomputer/terminal in the City Manager's Office.			
From	43-2-5060-0100	Rehab Loans & Grants	$ 65,000.00
To	43-2-5030-0101	Rehab for Resale	32,500.00
To	43-2-5030-0102	Rehab for Resale	32,500.00
Purpose: To provide funds for rehab for resale of two structures on Haywood Street.			
From	01-3-3100-0123	Surplus Reserve	$ 4,293.71
To	01-2-1040-0410	Retirement Credits	4,293.71
Purpose: Funding credits to retirement from a reserve account established for that purpose - Lloyd R. Newbern.			

From	02-2-4380-0100	Salaries	$ 2,000.00
To	02-2-4380-0265	Volunteer Recognition	2,000.00

Purpose: Cover cost of RSVP luncheon.

From	06-2-7100-0002	Contingency	$ 30,000.00
To	06-2-7060-0715	Flow Meter	30,000.00

Purpose: To purchase additional flow meters.

From	01-2-1040-0001	Council Contingency	$ 17,000.00
To	01-2-6010-0286	4th of July Celebration	17,000.00

Purpose: To provide funds for July 4th Celebration.

From	37-2-8985-0300	Walnut Creek Greenway	$ 27,298.00
To	37-2-8985-0302	Walnut Creek Greenway Design	27,298.00

Purpose: Professional Services Agreement - Walnut Creek Greenway.

ORDINANCE NO (1983) 250 TF 11
ADDENDUM

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 21, 1983, and included in the budget for fiscal year ending June 30, 1984, be transferred from one account to another as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and the same are hereby transferred for the purpose shown:

CODE	ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	01-2-1040-0001	To Contingency	$ 72,886.00
To	01-2-5100-0100	Salaries	17,468.00
	01-2-5100-0701	Office Furniture	1,000.00
	01-2-5100-0707	Automobiles	8,500.00
	01-2-1200-0100	Salaries	24,918.00
	01-2-1200-0701	Vehicles	21,000.00
			$ 72,886.00

GENERAL DEVELOPMENT STUDY - IMPLEMENTATION OF THE DEPARTMENT OF INSPECTIONS - VARIOUS ACTIONS TAKEN

On December 6, 1983, the City Council approved an ordinance establishing the Department of Inspections and making other Code revisions proposed pursuant to the discussions concerning the General Development Study.

It is appropriate now to consider the full implementation of items which have been considered by the City Council. Council Members will have a copy of the Implementation Plan which had been submitted in September, 1983.

The specific Council actions are noted below:

(1) Creation of a position of Inspections Director to be department head for the Inspections Department with a pay grade of 44 and range of $30,179 - $44,588 and approval of the job description.

(2) Revision of existing job titles as follows:

- Chief Inspector to Assistant Director
- Assistant Inspections Superintendent for Housing to Housing Inspections Administrator
- Assistant Inspections Superintendent for Construction to Construction Inspections Administrator
- Assistant Inspections Superintendent for Permit Office to Permit Office Administrator.

(3) Reclassify the present Cashier-I position in the Inspections Section to an Office Assistant-II position.

(4) Addition of three Construction Inspectors in the Engineering Department and deletion of the part-time Inspections position.

(5) Reclassify an existing Engineer Technician position to Construction Inspections Supervisor in the Engineering Department.

(6) Add an Office Assistant-II position in the Engineering Department.

(7) Transfer the budget of the Inspections Division to a new budget code for the Inspections Department.

(8) Increase the following budgetary accounts with an appropriate transfer from Council Contingency.

Inspections - salaries	$17,468
Inspections - office furniture	1,000
Inspections - automobiles	8,500
Engineering - salaries	24,918
Engineering - vehicles	21,000
	$72,886

It had been proposed that the inspection fees be increased to meet these added expenditures. However, in reviewing our fee income through November, 1983, it is expected that the inspection fees will sufficiently exceed the budget revenue projections to offset these increased costs.

Recommendation: It is recommended that the City Council approve the proposed personnel and budgetary actions herein submitted.

Ms. Block moved the recommendations as outlined be upheld. Her motion was seconded by Mr. Calloway. Ms. Babb questioned if the City Manager is comfortable with this recommendation with City Manager Benton indicating he is. The motion, as stated, was put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ADDENDUM

MINI CITY AREA - CONTRACTS RELATING TO PUMP STATIONS - MAYOR AUTHORIZED TO SIGN

City Manager Benton indicated the City is annexing the Mini City area effective December 31, 1983. He indicated for several years, the City has been working with North Boulevard developers so that the City could take over the pump stations in that area. He pointed out since we are annexing much of the area, we must take over two of the pump stations, pointing out the third pump station is outside of the area to be annexed. He indicated we have two proposed agreements to address this situation. He indicated one agreement indicates that the property owners will turn over two of the pump stations - 401 North and New Hope Church Road to the City for ownership and maintenance and also provide a lump sum payment, so that the City can upgrade with automatic alarms, put in access road, etc. He indicated the second agreement relates to the operation and maintenance of the pump station on US 1 North, pointing out this provides for a lump sum payment as well $4,000 annual payment for operating and maintenance fee, and hopefully upon annexation of that area, this pump station would be conveyed to the City at no cost. Brief discussion took place with Ms. Block questioning the $4,000 annual operating and maintenance payment, questioning if there is any escalation provision, as we do not know when this area would be annexed. After brief discussion, Mr. Walters moved that the Mayor be authorized to sign the agreements as presented. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

SANDERFORD ROAD PARK - FUNDS - ANNOUNCEMENT MADE

City Manager Benton indicated Council Members may have seen a newspaper article which reported that the City would receive $52,000 from the National Park Service for the Sanderford Road Park. He indicated this would be in addition to the $150,000 that has been appropriated for the park. He explained this is the first monies we have received from the Park Service in quite some time. The item was received as information.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

LAKE WHEELER PROPERTY - CITY TO ACCEPT GIFT

City Attorney McCormick indicated there has been a property dispute south of Lake Wheeler Road relative to some property that the City owns. He indicated basically, it is a boundary question between the City and Guy Senter. He indicated Mr. Senter is willing to give the City a deed to the disputed area, if the City would accept the deed as a gift. Mr. Keller moved that the City accept the gift of the property south of Lake Wheeler Road from Guy Senter. His motion was seconded by Ms. Block and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ASSESSMENT ACCOUNT NUMBER 1525-B-005-2 - THOMAS BURWELL, JR. - CITY TO ACCEPT PAYMENT OF PRINCIPAL ONLY

City Attorney McCormick indicated in 1971, the City made an assessment in the Method Community in the name of Thomas Burwell, Jr. He pointed out there are about twelve heirs involved in this property, and it has been determined that Mr. Burwell had been deceased for about four years at the time the assessment was levied. One of the heirs has agreed to pay off the principal of the assessment, which is $729.40, if the City would accept that as payment. He indicated the attorney handling the foreclosure recommends that the City accept the principal amount as settlement for the

assessment, otherwise, it is felt we will not get any payment on this account. Mr. Calloway moved the attorney's recommendation be upheld. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

REPORT OF MAYOR AND COUNCIL MEMBERS

ZONING TOUR - DECEMBER 29 - NO ACTION TAKEN

Mayor Upchurch indicated the zoning tour for the cases to be heard in January is scheduled for December 29. He indicated he would ask the Council Secretary to contact each Councilperson to determine if they will be able to attend, pointing out several Council members have indicated they would be out of town.

RAILROAD CROSSING AT PRISON - REFERRED TO ADMINISTRATION

Mr. Upchurch indicated in listening to the traffic report recently, he had heard the gentlemen doing the traffic report from the helicopter indicate he had seen several cars making the illegal pass over the railroad at Central Prison. He indicated he is afraid someone would be hurt and we need to get that barricaded before a tragedy occurs. Without objection, the item was referred to Administration.

LAKEMONT PROBLEMS - REFERRED TO REAL ESTATE COMMITTEE

Mayor Upchurch indicated he has been contacted again relative to the problems at Lakemont Lake and without objection, he would like to refer the item to Real Estate Committee. Without objection, the item was so referred.

BUSINESS AND TECHNICAL CENTER - REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

Mayor Upchurch indicated he had been working City Manager Benton and the State relative to the establishment of a Business and Technical Center in Raleigh. He stated without objection, he would like to refer this matter to Intergovernmental Committee. The item was so referred.

LOBBYING AND PROMOTION PROGRAM - REFERRED TO THE INTERGOVERNMENTAL COMMITTEE

Mayor Upchurch indicated suggestions were made by the last Council relative to a Lobbying and Promotional Program and the action at that time was to request that the matter be referred to new Intergovernmental Committee. He stated without objection, he would like refer the Lobbying and Promotional Program to the Intergovernmental Committee.

COMMITTEES SCHEDULE - SUNSET PROVISION - APPROVED

Mayor Upchurch indicated during the last meeting he suggested the possibility of working on a 90 day Sunset Provision or schedule for bringing items out of committees. He passed out the following procedure which he recommended for approval: "This procedure is intended to facilitate the handling of policy items that are referred to Council committees for evaluation and recommendation. Since the Council committees' work loads tend to increase over the two-year term and a backlog of items can occur, it is necessary that a committee report back to Council on a referred item as soon as possible, but not later than 90 days after the items has been forwarded to Committee. Where possible, the Committee report should include a recommended action to the Council. However, if a policy item is too complex for final action in that time period, the Committee should provide a status report and projected time schedule for final recommendations." Mayor Upchurch indicated if this procedure is followed, he feels it will save a lot of staff time and committee time and will help the whole Council keep on top of items better. The report and recommendation was received without comment.

CITY COUNCIL LIAISON APPOINTMENTS - MADE

Mayor Upchurch indicated there are several liaison appointments with various advisory committees that he would like to make and made the following appointments: Parks and Recreation Advisory Board - Mary Cates; Youth Council Advisory Board - Arthur Calloway; Civic Center Authority - Sandra Babb; RSVP - Morton Congleton; TAC - Mayor Upchurch; Triangle J COG - Delegate - Ed Walters, Alternate - Miriam Block; Transit Authority - Walt Keller; Arts Commission - Ed Walters; Police Affairs Committee - Mayor Upchurch, Chairman, Arthur Calloway, Miriam Block.

COMMITTEE ASSIGNMENTS - GUIDELINES - RECEIVED

Mayor Upchurch indicated in structuring the standing committees of Council, he felt we should have some guidelines of how to assign items to various committees and presented the following guidelines, pointing out that does not mean these are set in concrete, just guidelines as to where items should be referred. Mayor Upchurch indicated the Council could review these, change them or whatever, it is just his suggestion. Ms. Cates indicated it looked as if the Mayor did a good interpretation as to which items should go to what committee, indicating she felt this would be a useful tool in referring things to the committees. The guidelines were as follows:

Public Works Committee

Public Facilities
Storm Drainage
Utilities Projects
Site Plan Approvals

Law & Finance Committee

City Code Revisions
Council Procedures
Budgetary Items
Enforcement of Laws
Fees & Revenue Items
Rezoning Requests
Cablevision & Other Franchises

Comprehensive Planning

Long Range Planning
Comprehensive Plan Updates
Zoning Code Text Changes
Special Studies

Intergovernmental Liaison Committee

Housing
Issues of Concern with other Government Units - County, State, Federal
Extraterritorial Jurisdiction Issues
Legislative Program for General Assembly
Annexations

CITY COUNCIL PRIORITY WORK ITEMS - REFERRED TO ADMINISTRATION; SUNSET PROVISION ON VARIOUS DEVELOPMENT - REFERRED TO LAW AND FINANCE COMMITTEE; LEGISLATIVE PACKET - ITEMS ADDED; RESOLUTION RELATING TO DOROTHEA DIX PROPERTY - RESOLUTION ADOPTED

Mayor Upchurch indicated during the last Council meeting he passed out his suggestion for priority work items for this Council and asked each Council member to send theirs to him in writing. He indicated he had received Ms. Block's, Ms. Cates', Mr. Congleton's and Mr. Walters'. He indicated he was sure other Council members had items and he would ask they be brought forth today and the ones that had been submitted to be explained. He indicated after all these items are received, he would suggest that it be referred to the City Manager and staff to work on for presentations at a weekend work session. He suggested the possibility of having a work session somewhere in the City, beginning on a Friday afternoon, have a get together that night with the families, and then meet again between 9 and 5 on Saturday. He stated that during this time he felt the Council could cover all the goals for the next two years. He stated after hearing the Council members addition to the priority work items, he would ask that everything be referred to Administration. This was agreed to.

Ms. Block indicated one priority item should be the Dorothea Dix Hospital property, pointing out she would like for the City to issue a statement commending the County Commissioners in their effort to keep Dorothea Dix open for the mentally ill and to resist putting prisoners there and to actively pursue the plan for the Dix property prepared by the City. Mr. Upchurch read a status report from City Manager Benton dated 12-15-83 on this item. Ms. Block stated she would like for the Council to send letters off in all different directions supporting the City's stand on the Dix property and commending the Commissioners on their recent efforts to keep it open. Mr. Calloway indicated this matter is in Intergovernmental Committee and it will meet on Thursday and maybe the Committee could discuss it at that point. He stated maybe the Council would want the Committee to go ahead and send letters out. This was agreed to.

Later in the meeting, during the night portion, Ms. Block presented a resolution endorsing the County Commissioners activities in keeping Dorothea Dix Hospital open. Ms. Babb moved approval of the resolution and authorization for it to be sent to the Governor, Wake Delegation, County Commissioners and others. Her motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 424

WHEREAS, the Citizens of Raleigh have evidenced concern about the continuing operation of Dix Hospital and the availability of space for patient needs; and

WHEREAS, there has been evidence in Raleigh that some patients have been inadequately served or denied admission; and

WHEREAS, the community treatment programs have been inadequate for these needs; and

WHEREAS, the closing of any additional portion of Dix Hospital would be an inadvisable and uneconomic addition to the numbers of unemployed people in this county.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That the Raleigh City Council commends and supports the efforts of the Wake County Commissioners to keep admission beds open and available for Wake County needs.

Section 2. That the Governor and the Department of Human Resources are requested to accept the proposal of the Wake County Commissioners.

Adopted: 12/20/83

Ms. Babb indicated she would just like to speak to what she sees the Comprehensive Planning Committee working on during the next two years and things that she personally is interested in working on. She stated the whole idea of strategic planning is very important, and she was glad to see in the Mayor's guidelines for items referred to Committee, to see that the Mayor feels that the Comprehensive Planning Committee would work on long range planning and not always be besieged with zoning petitions. She indicated someone needs to stand back and think about what we want for our City, how we want to shape our City, what we want it to look like, etc. She stated there is a lot going on in the City and we need to make an effort to direct everything that is occurring. Urban development, growth, how to cope with it, where it is going, what it means, etc. She indicated a lot of things are changing locally and nationwide and she would like for the committee to do as much as possible to acquaint themselves with what is going on in urban development and urban trends. She indicated Raleigh is very fortunate because of its size and where we are in this growth phenomenal, pointing out she thinks the whole question of how we are going to handle our growth should be studied by the Comprehensive Planning Committee. She stated she did not feel there is a clear cut answer, but she would like for the committee to explore all different avenues very thoughtfully and pull together the thoughts of everyone. She indicated she would like to see the second Phase of Raleigh Tomorrow begin and a report will be brought back to the Council in January. She indicated she feels that everyone wants to see the zoning code revision and she feels we need to get into mixed use zoning, performance standards, etc.

Ms. Cates indicated she would like to see the Council be innovative in the revision of the zoning code and look at things such as performance standards, special use permits, performance standards for infilling, etc. She stated she knew all of this has to be done very carefully. She indicated she is very concerned about infill on small tracts of property and the need for performance standards. She stated she is concerned about things she sees in the code, such as Residential-4 allowing private roads, etc. She stated she has long been concerned about the need to supplement the tax base, but she does not want to see our growth negatively affect our quality of life. Ms. Cates indicated another thing she feels we need to work on is the storm water management and she would like to see this coupled with protection of water supplies, pointing out urban storm water management is something the City needs to work on desperately. She stated the third thing she sees is the need to start thinking in terms of human resources or human services as a component of the Comprehensive Plan. She stated she feels we need to identify and take care of people's needs in Raleigh, pointing out the Mayor touched on this in his inaugural address. She indicated the fourth item she is concerned with relates to park land acquisition and the need for better maintenance.

Mr. Walters indicated if we complete the list of priority work items so far that would take care of two year's work. He indicated the code revision is going to be a tremendous undertaking and maybe we need to possibly consider a special ad hoc committee, maybe something similar to the first Comprehensive Planning Advisory Committee. He stated we can't just say we need to study the code as he feels we need to give directions and develop priorities on code revisions before we start redoing the code. Mayor Upchurch indicated Administration understands that there needs to be some direction from the Council as to how to go about the zoning code revision.

Mr. Congleton indicated there are quite a few things that he is looking forward to working on and one thing concerns the possibility of a joint City-County Planning Commission. He stated he feels that is something that needs to be looked into, pointing out he worked very closely with the Fayetteville Cumberland County and Charlotte-Mecklenburg joint Planning Commissions. He indicated he feels we need to look at the possibility of meeting with the County Planning Commission maybe in a work session, but just take a close look at this. He indicated another item of concern relates to transportation and pointed out he feels it would be very important for our area to have a representative on the State Department of Transportation Board. He indicated he feels we should proceed in terms of looking at a Bond Referendum for roads in the Raleigh system as he does not think we will have enough to fund the road system that is needed considering the massive growth that is taking place. He indicated everyone is saying Raleigh is the number one place to live and Raleigh has to be progressive. He stated he would agree with almost all the priority items listed by everyone, but would add that we would want to do something pretty quickly and would add that we would want to do something pretty quickly on storm water management. He stated he feels we need to be looking at the impact of zoning as it relates to the piece of parcel under consideration for zoning as well as all that is around it.

Mr. Calloway indicated he would just applaud the Mayor's efforts in drafting the list of priority items, indicating he felt it was very comprehensive and a very well drafted list. He stated he will be getting his suggestions to the Mayor in writing.

He stated he would like to add the need to protect and help Southeast Raleigh. He indicated downtown revitalization is very important to everyone, but his one concern is that we keep Southeast Raleigh as a separate entity so it will not drop through the cracks so to speak, with Mr. Upchurch indicating he felt everyone agrees that we have a great opportunity in directing growth in Southeast Raleigh.

Mr. Keller indicated he would concur with the list of priority work projects as presented. He stated he would like to ask permission for the Law and Finance Committee to study the Sunset clause on shopping center zoning. This was discussed and later in the meeting it was agreed that the Sunset Provision for development would be referred to the Law and Finance Committee.

Mr. Keller indicated he would like for the Council to consider on our legislative wish list the possibility of lower limits for campaign contributors. Ms. Block added that she feels that we should consider the possibility of passing an ethics code for the City, pointing out this wouldn't necessarily have to go to the State, but maybe a committee could look at it. Mr. Upchurch suggested that Ms. Block prepare a suggested ethics code and then maybe it could be referred to the appropriate committee. Mr. Keller indicated he is interested in the study in east west traffic flow through the City. He indicated another thing he is very interested in is funding of construction costs in Parks and Recreation programs. He indicated that is already in work session, but he feels we should keep an eye on the maintenance and operations costs, pointing out every time something new is built you have to add to the maintenance and operating budget.

Ms. Babb indicated in thinking of priorities she feels she would be remiss if we did not say something about the City continuing its commitment to economic development. She indicated it is a real challenge and we have to plan and work so that the City will be in good fiscal health. She spoke briefly to how a City has good fiscal as well as physical health and the need to think about long term fiscal health. She pointed out in her opinion, Parks and Recreation is so important to the quality of life in a city and the physical health of a city, she is willing to make a commitment to adequate Parks and Recreation and open space for the City.

CONGRESSIONAL MEETING IN WASHINGTON - COMMENTS RECEIVED

Mayor Upchurch indicated the Congressional meeting is scheduled in Washington on March 3 through 6 and asked Council Members to think about whether they plan to attend or not.

ROCK QUARRY ROAD BIKE TRAIL - INFORMATION RECEIVED

Mr. Upchurch indicated he noticed recently a readvertisement for the sidewalk/bike trial on Rock Quarry Road questioning if it had to be readvertised because of lack of bids. City Manager Benton indicated that was the reason for the readvertisement.

BOARD OF ADJUSTMENT INTERPRETATION RELATING TO GROUP CARE FACILITIES IN MULTI-FAMILY UNITS - REFERRED TO LAW AND FINANCE COMMITTEE

Ms. Block indicated all Council Members received a memo from the Sessions Reporter relative to Board of Adjustment Case A-224-83 - Courtland Properties and Haven House Inc. She moved that this item be referred to Law and Finance Committee for discussion. Her motion was seconded by Mr. Walters. Mr. Walters indicated the neighbors were very concerned about this case, pointing out it really amounts to a lot of young people staying by themselves. Without objection, the item was referred to Law and Finance Committee.

FIRE CODE - OVERCROWDING - REFERRED TO CITY ATTORNEY

Ms. Block indicated she was very concerned about the fact that one of the judges has made a decision of only fining an owner of an establishment for overcrowding. She indicated she would like for this to be referred to a committee, pointing out it could lead to a very dangerous situation. City Attorney McCormick indicated in addition to the criminal process, the Council could always seek relief through the Civil process. Ms. Block indicated she felt the license should be removed when a firm is convicted of overcrowding. After brief discussion, the matter was referred to the City Attorney to bring a report back to Council.

SITE PLAN APPROVAL - O & I-I - REFERRED TO THE PUBLIC WORKS COMMITTEE

Ms. Cates requested that an item be referred to Public Works Committee to consider the possibility of requiring site plan approval for O & I-I zoning and possibly some other classifications. The need for this to be discussed in a comprehensive manner was discussed after which, the matter was referred to Public Works Committee.

PRIVILEGE LICENSES - JULIANS AND MARSHA A. PRESNELL - APPROVED CONDITIONALLY.

Mr. Walters indicated as a point of personal privilege, he would like to bring up two privilege license applications. One is for Sportsworld of Raleigh, Inc. doing D/B/A Julians, located at 912 West Hodges Street and the other is massage license in the name of Marsha A. Presnell D/B/A YWCA, 1012 Oberlin Road. City Manager Benton indicated as far as Julians is concerned, the application requiring City Council approval is a dancehall and private club with live entertainment. He indicated the police report indicates approval and the Inspections Division is recommending a conditional approval upon compliance with all building and zoning code regulations.

As far as the massage license is concerned, the police report indicates approval. Mr. Walters moved approval of the business licenses as applied for for Julians and Marsha A. Presnell, subject to Mr. Benton's comments. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ZONING CASES - DENIAL - DENIAL WITHOUT PREJUDICE - REFERRED TO JANUARY 3, 1984 AGENDA

Mr. Walters indicated that he thinks all will agree that there is uncertainty and conflict about the denial and denial without prejudice of zoning cases. Therefore, he would move that the Council no longer accept recommendations from the Planning Commission which recommends an action without prejudice and that from now on the Council and public rely on provisions of Sections 10-2113 of the Code, which was enacted to cover the situation in which the petitioner needs to refile a case before the waiting period has expired. His motion was seconded by Ms. Block. Ms. Block indicated she feels there needs to be clarification and she does not feel we need denials and denials without prejudice. Ms. Babb indicated her mind is open at this point and we all have things we are concerned about in the code and she does not feel that we should get into changing things one by one. She indicated she feels that changing the zoning code should be done in a comprehensive matter and maybe this should be assigned to a committee. She stated she feels it should be looked at in a comprehensive manner, with Mr. Walters pointing out this is not a code change, that this is just a recommendation that the Council would accept. Ms. Block indicated it is nice to be able to look at it in a comprehensive overall manner, but pointing out the Council is the policy makers. She indicated the reason the Council brings things up is because there are a lot of cases or incidents that show a need. She indicated she feels we need to bring up items when there is a problem and follow through on them. Discussion took place as to how this should be handled with various Council members voicing their opinion on how it has been handled in the past, the need for denial and denial without prejudice, etc. After which, it was agreed to place this item on the next Agenda as a special item for further discussion.

TRAFFIC - LIGHT AT CAPITOL TOWERS - REFERRED TO ADMINISTRATION

Mr. Congleton indicated he had been requested to go out and speak to the people at Capitol Towers explaining one of the things they want to discuss is the light at the entrance at Six Forks Road. He indicated he would like for the City Manager and Staff to look at it and give him some information prior to the speech. Without objection, the items was referred to Administration.

LAKEMONT LAKE - COMMENTS RECEIVED

Mr. Congleton indicated the matter relating to Lakemont Lake has been referred to Real Estate Committee. He pointed out he has been presented with a file containing the past information on the Lake that he feels would be important for a committee to research. He indicated he has a problem in that when the matter was referred, Mr. Walters indicated that there is not much we can do about Lakemont Lake and it bothers him, that the item was referred to a committee with the Chairman having that feeling. He stated he would like for us to approach this on a positive step. The item was received as information.

TELEPHONE RECORDERS COST - REFERRED TO ADMINISTRATION

Mr. Congleton indicated he had talked to six or seven Council members who have indicated a desire to have a telephone recorder at their home. He stated without objection, he would like to ask Administration to look into the cost of the telephone recorders/ answer devices, pointing out he understands possibly the cost to purchase them is cheaper than the cost of rental. Without objection, the item was referred to Administration.

CIVIC CENTER - REQUEST FOR RENT FREE USE BY WAKE COUNTY SCHOOLS - REFERRED TO LAW AND FINANCE COMMITTEE

Mr. Calloway indicated he had received a letter from Bob Bridgers relating to a conference to be held by Wake County Public Schools in the late winter or early spring. He indicated the dates for the conference are February 21 or 28, March 6 or 13. He indicated the school systems is requesting a cooperative spirit from the City and asking about the possibility of the rent free use of the Civic Center. Discussion took place with it being pointed out, this is in addition to the request for a rent free use of the Civic Center by Wake County Schools that is already under consideration by the Law and Finance Committee. After brief discussion, Mr. Congleton indicated he has a real problem with this, pointing out he feels we should try to work very cooperatively with the school system, but granting the rent free use is giving him some problem. Without objection, the request was referred to the Law and Finance Committee.

POLICE COMMITTEE - COMMENTS RECEIVED

Mr. Calloway indicated he had received a letter from Frank Roberts pointing out it seems there was some misunderstanding on the part of the Coalition of Concerned Citizens. He stated he would like to see an early meeting of the Special Committee on Police Affairs so that this misunderstanding could be laid to rest. The item was received as information.

REPORT OF CITY CLERK AND TREASURER

MINUTES - DECEMBER 6 - APPROVED AS AMENDED

The City Clerk indicated Council members received minutes of the December 6, 1983, Council meeting in their Agenda packet. Ms. Block pointed out on Page 3 of the minutes, it indicated she was serving her fourth term as a Councilperson but it was actually her fifth term. With that correction, the minutes were approved by general consensus.

SIDEWALK ASSESSMENT ROLL 195 - RESOLUTION ADOPTED

The City Clerk presented preliminary sidewalk Assessment Roll 195 relating to the installation of sidewalks on the northeast side of Glenwood Avenue, with the recommendation that the Assessment Roll be adopted, which would set a public hearing to consider confirmation of costs at the January 17, 1984, Council meeting. Mr. Calloway moved adoption of the resolution. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 418

RESOLUTION DECLARING COST AND PRELIMINARY ASSESSMENT ROLL

SIDEWALK ASSESSMENT ROLL NO. 195

WHEREAS, by Resolution No. 1981-685 adopted by the City Council on September 1, 1981, the local improvements hereinafter referred to were authorized and directed pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, and Section 105 of Chapter 1184, Session Laws of North Carolina of 1949, as amended, as applicable; and

WHEREAS, the local improvements have been completed and it is the duty of the City Council to make an assessment of the cost thereof against the property assessable therefor;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the local improvements described as follows have been completed: installation of sidewalks on the north/east side of Glenwood Avenue from Oberlin Road to Lake Boone Trail.

Section 2. That the cost of the above described improvements, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be $2,240.35.

Section 3. That the City Council hereby makes an assessment of the cost of the local improvements herein referred to, pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, against the lots and parcels of land abutting directly on the improvement. The basis for the assessment is front footage abutting the improvement.

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	SUBDIVISION LOT NO.	LOCATION OF IMPROVEMENT	AMOUNT ASSESSED
Kip Dell Homes, Inc.	1	0025271	-	2600 Glenwood Avenue	$ 948.50
Glenwood Office Associates, Ltd.	2	0025268	-	2626 Glenwood Avenue	1,291.85

Cost per Foot: $3.50

Section 4. That the terms and manner of payment of assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten (10) equal installments, such installments to bear interest at the rate of six per cent (6%) per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 5. That this Assessment Roll No. 195 is hereby ordered filed in the office of the City Clerk and Treasurer of the City of Raleigh for public inspection.

Section 6. That a public hearing will be held on the 17th day of January, 1984, at 7:00 p.m. in the Council Chamber, Municipal Building in the City of Raleigh, North Carolina (or at such time and place to which the meeting of the City Council may be adjourned) for the purpose of hearing all interested persons in respect to the special assessments made by this resolution; and the City Clerk and Treasurer is hereby directed to cause to be published a notice of the completion of said assessment roll and notice of said meeting, and to mail to each owner of the property herein assessed a copy of this resolution.

Section 7. That the assessment made by this resolution is subject to confirmation as provided by Article 10 of Chapter 160A, General Statutes of North Carolina.

Adopted: 12/20/83

ADJOURNMENT

There being no further business, Mayor Upchurch announced the meeting adjourned at 4:30 p.m. to be reconvened at 7:00 p.m.

Gail G. Smith
City Clerk

np/1/h

The City Council of the City of Raleigh met in a regular reconvened meeting on Tuesday, December 20, 1983, at 7:00 p.m. in the City Council Chamber of the Municipal Building with the following present:

Mayor Upchurch, Presiding
Ms. Babb
Ms. Block
Mr. Calloway
Ms. Cates
Mr. Congleton
Mr. Keller
Mr. Walters

Mayor Upchurch called the meeting to order and the following items were discussed with action taken as shown:

REQUESTS AND PETITIONS OF CITIZENS

SORGHUM COURT - RELOCATION - AUTHORIZED

Ben Leaser, President of Raleigh Door and Window Company was at the meeting indicating he is the lessee of a building on Sorghum Court. He pointed out Norwood Lumber Company has been in this location for years and explained and how the area has been used pointing out the building was situated as it is because of a railroad spur. He pointed out several years ago there was a serious accident and part of the rail siding was taken up at that time and no one can afford to maintain and replace the siding. He explained they propose to enlarge their building to get maximum use and space and explained that Sorghum Court, a cul-de-sac, was positioned in relation to the railroad siding. He pointed out since the railroad siding has been removed, they would like to move the street. City Manager Benton indicated the request is to shift the street about 10 or 11 feet and it is his understanding that Norwood Lumber Company is the property owner that would be affected on both sides and it is Administration's recommendation that this be approved. Mr. Walters moved Administration's recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

TRAFFIC - CRABTREE VALLEY AREA - COMMENTS REFERRED TO ADMINISTRATION

Stanley R. Stager, III, 305 Foxhall Street, was at the meeting and presented a prepared statement relative to the traffic plans on Glenwood Avenue at Crabtree Valley. He indicated he is asking that the City DOT enter into serious discussions with the State, area developers, and private citizens to address the congestion as well as safety, review the State Highway Department's plan, review the citizen's plan of October 11, make suggestions to improve both, provide sizing of costs and propose funding splits as well as provide check point reports every six weeks. He indicated the State plan does not look at the larger picture and adds to congestion rather than reducing it. He stated there is significant growth in the area, and Raleigh needs solutions not bandaids, because it is choking on its traffic. He explained congestion relating to accidents and on going development that may prevent or make future solutions very costly. He presented comparisons of the State plan and the citizens plan as well as the problems they address. He indicated Council members had received a detailed report in their Agenda packet dated December 20, 1983.

Mr. Upchurch indicated he had reviewed this with the Staff and DOT and sees some merits with Mr. Stager's suggestions, but he also sees some problems. He indicated he would like to refer these comments to DOT and the City Manager and let them review these various alternatives to see if there is any that the City should pursue. Mr. Congleton expressed appreciation to Mr. Stager for coming and making his presentation. He indicated he appreciates any citizen taking this amount of time and doing this type detailed study. He stated he would like for the City DOT to look at this suggestions from a total picture and what points could be done even if all of Mr. Stager's suggestions could not be pursued. He indicated he would like for the City DOT to pursue this with post haste, pointing the traffic problems in this area are probably the worst in the City. Without objection, the item was referred to Administration.

ANNEXATIONS - BRITTANY WOODS AND PEACH CREEK - REFERRED TO CITY CLERK

The City Clerk indicated a petition has been received for the contiguous annexation of property known as Brittany Woods as well as property known as Peach Creek. The next step, if the Council so desires, would be to direct the Clerk to check the sufficiency of the petitions and set a date for public hearings. Mr. Keller moved that the Clerk be directed to check the sufficiency of the petition and set the necessary public hearings if the petitions are found sufficient. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

STREET IMPROVEMENTS - DILLWYN DRIVE - RESOLUTION OF INTENT ADOPTED

A petition has been received, signed by four of the five owners of land, representing 96.13% of all of the lineal feet of frontage for the paving 27 feet back to back on Dillwyn Drive from Peach Road to the existing curb and gutter. The City Clerk indicated the next step, should the Council so desire, would be adoption of a resolution of intent which would set a public hearing to consider the project on January 17, 1984. Mr. Keller moved adoption of the resolution of intent to pave Dillwyn

Street as outlined. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 419

A PRELIMINARY RESOLUTION INDICATING THE INTENT OF THE CITY COUNCIL TO MAKE STREET AND SIDEWALK IMPROVEMENTS AS DESCRIBED HEREIN AND ASSESS THE COST AGAINST LAND ASSESSABLE THEREFORE, AND SETTING A PUBLIC HEARING TO CONSIDER THE QUESTION

WHEREAS, there has been filed with the City Clerk and Treasurer of the City of Raleigh written petition hereinafter referred to, directed to the City Council, requesting the Council to make the respective improvements hereinafter described upon the street or streets, or parts thereof, hereinafter identified; and

WHEREAS, the City Clerk and Treasurer of the City of Raleigh has submitted said petitions to the City Council and has duly certified that the petition has been signed by a majority in number of the owners, or owners of a majority of all the lineal feet of frontage of the lands abutting upon the street or streets or parts thereof proposed in the petition to be improved, and that the petition is sufficient in all respects as required by Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, and pursuant to which the improvements have been petitioned;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is intended that the following improvements be made and that the cost thereof be assessed against property abutting thereon pursuant to and by virtue of the provisions of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended:

> Installation of curbs, gutters, drains and paving twenty-seven feet back-to-back with one and one-half inch asphalt surface on a five inch stone base on Dillwyn Drive from Peach Road to existing curb and gutter.

Section 2. The proportion of the cost in making the aforesaid street improvements to be assessed upon an abutting property owner, to the extent that the same shall be assessable under the provisions of Resolution No. 280, as amended, shall be as follows: 100 percent of the total cost of said respective improvements which are assessable under Resolution No. 280 (i.e. the cost of one half of each street to be improved shall be assessed and charged against the lots and parcels of land abutting directly on the respective improvements, according to the extent of their respective frontage thereof by an equal rate per foot of such frontage exclusive of so much of the cost as is incurred at street intersections in improving street intersections the remainder of the total cost including street intersections to be borne by the City of Raleigh.)

Section 3. Sidewalk improvements shall be assessed according to property frontage and shall be assessed property on both sides of the street improved by an equal rate per foot of such frontage, however, the Council may direct that sidewalks be constructed on one side and assessed against property abutting both sides.

Section 4. That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot or parcel of land for and in connection with which said connections are made, as provided by Article 10, of Chapter 160A of the General Statutes of North Carolina.

Section 5. That the terms and manner of payment of street improvement assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of six percent per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 6. That the said improvements shall be done by Contract after due notice and advertisement for competitive bids in accordance with provisions of Section 6.11 of the Charter of the City of Raleigh and other pertinent provisions of the Charter and of the General Statutes of North Carolina.

Section 7. That a public hearing on all matters covered by this resolution shall be held on the 17th day of January, 1984, at 7:00 p.m., or as soon thereafter as the matter can be reached, in the Council Chamber, Room 315, Municipal Building.

Adopted: 12/20/83

LEESVILLE ROAD CORRIDOR - COMMENTS BY NORTHWEST CAC - REFERRED TO THE COMPREHENSIVE PLANNING COMMITTEE

Bernadine Weddington, 4814 Brookhaven Drive, Chairman of the Northwest CAC, was at the meeting and presented the following prepared statement:

In the spring, the NW CAC submitted its update of the Comprehensive Plan. Tonight I am submitting an addendum to that plan.

We recommend that development along Leesville Road - from its ETJ boundary to its intersection with Leadmine Road - be restricted to residential use.

What are the reasons for this recommendation?

1. Traffic - I am sure that many of you read John Drescher's article on Monday about traffic in North Raleigh. In fact, the Mayor and Mr. Congleton were quoted. Most of the articles concerned our better known nightmares - Glenwood Avenue, Falls of the Neuse, Wake Forest, and Six Forks. But what about Leesville Road? I'd like to give you the ADT for that road. These are the 24-hour, 2-way counts for 1982:

Leesville Road - north of Glenwood - 20,600
north of North Hills - 10,600
north of Leadmine - 4,300
north of Shelley - 9,800
northwest of Creedmoor - 9,200
north of Craddock - 3,800

Perhaps these figures do not seem impressive, but remember that I am speaking about a narrow, two-lane, winding road. Again, these figures are for 1982, and I am sure they are much higher now.

Commercial zoning not only generates its own traffic, but it attracts additional traffic for its uses.

2. Need - We feel that it has been adequately shown that there is more than enough sites already zoned and undeveloped for shopping center uses. I believe 43 was the number quoted in last week's paper. But what about the number of shopping centers already developed. In the vicinity of Leesville Road, we have Crabtree Valley, Oak Park, Town Ridge, Creedmoor Crossing, and Town North. And I cannot begin to point out all the O&I development that exists in our district.

3. Character of the area - The Leesville Road corridor of its very nature is a residential area and does not lend itself to other types of development.

Now what action would we like you, the Council, to take? We have four specifics:

1. Include this recommendation as part of the NW planning district land use plan.

2. Rezone the shopping center district in Brittany Woods to a residential use compatible with the rest of that subdivision.

3. Delete from the 1979 Comprehensive Plan the area at North Forest suggested as a possible neighborhood focus.

4. Do not approve any shopping center or O&I requests in this area.

This afternoon, Mrs. Babb said that one of her goals as Chairman of the Comprehensive Planning Committee is to initiate long-range strategic planning for the City. We feel that the Leesville Road corridor is an excellent starting point for this planning.

Without discussion, Mrs. Weddington's comments were referred to the Comprehensive Planning Committee.

ENCROACHMENT - SANDY FORKS/SPRING FOREST ROAD EXTENSION - DENIED

Richard Wallace representing Heritage Greens Associates was at the meeting to request approval to encroach on the City right-of-way with a brick privacy wall at the intersection of Sandy Forks Road and the proposed Spring Forest Road Extension. Mr. Wallace explained his company has built the wall parallel to the proposed extension of Spring Forest Road and it encroaches on the right-of-way of that proposed road. He indicated he was at the meeting to ask the Council to grant a temporary encroachment until such time as Spring Forest Road is extended, and at that time his company would remove it at no expense to the City.

City Manager Benton indicated Administration would recommend that the wall be removed pointing out there are considerable development activities occurring in this area and it is hoped that the Spring Forest Road Extension can be built in the near future. He explained walls have a way of becoming permanent and people become attached to them and it would be hard to remove the wall after the people are accustomed to it. Mr. Congleton indicated he would agree and would make a motion to that affect. He stated he felt we would be looking at Spring Forest Road Extension very shortly, as he feels it should be extended as soon as possible, with Mr. Upchurch agreeing that the extension of Spring Forest Road will be one of the City's top priority and he doesn't see that it would be that much of an advantage to leave it a few months or until the road is extended. In response to questioning, Mr. Wallace indicated the

wall is 4½ feet tall and it is on the right-of-way, not in the actual street itself. It was pointed out by various Council members that it is a very attractive wall and this is a new residential area. Mr. Congleton restated his motion to deny permission to encroach on the right-of-way with the privacy wall as requested by Mr. Wallace. His motion was seconded by Ms. Cates and passed unanimously. The Mayor ruled the motion adopted.

UNFIT BUILDINGS AND DWELLINGS UNFIT FOR HUMAN HABITATION

UNFIT DWELLING - 113 POLK STREET - REPEALING ORDINANCE ADOPTED; PUBLIC NUISANCE COST CONFIRMATION - 2902 LIGON STREET - CORRECTING RESOLUTION ADOPTED

Housing Inspector Supervisor Bartholomew indicated Ordinance 1983-237 declared the property at 113 Polk Street unsafe. He indicated the property is under the control of Wachovia Bank and the building has been boarded up by Wachovia. He indicated the State of North Carolina has an option to purchase the property and since it is boarded up, he would suggest that Ordinance 1983-237, as it relates to 113 Polk Street, be repealed. Mr. Walters moved adoption of the repealing ordinance as recommended. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. 1983-255

AN ORDINANCE REPEALING A PORTION OF ORDINANCE NO. 1983-237 RELATING TO THE PROPERTY OF 113 POLK STREET, RALEIGH, NORTH CAROLINA

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That part of Ordinance No. 1983-237 relating to the property of Wachovia Bank and Trust Company for the Mordecai Heirs and directing that the dwelling thereon be placarded or demolished is hereby repealed.

Section 2. It is the intent of this ordinance that no other portion of said Ordinance No. 1983-237 be affected in any manner whatsoever by the adoption of this ordinance.

Section 3. That a certified copy of this ordinance be recorded in the office of the Wake County Register of Deeds.

Section 4. This ordinance shall be effective December 20, 1983.

Adopted: December 20, 1983

Effective: December 20, 1983

Housing Inspections Supervisor Bartholomew indicated in 1980 Resolution 1980-162 was adopted to relating to 2902 Ligon Street and the costs were confirmed in the name of Bealie Morgan. He indicated it has now come to light that there was a mix up in the filing at the Wake County Courthouse and this resolution should be corrected to the name of John S. Lawrence, who is the correct owner of the property. He indicated Mr. Lawrence has agreed to pay this assessment and others and the assessment attorney recommends that this correcting resolution be adopted. Mr. Keller moved adoption of the correcting resolution as outlined by Mr. Bartholomew. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION 1983-420

A RESOLUTION CORRECTING RESOLUTION 1980-162 AS IT RELATES TO 2902 LIGON STREET.

WHEREAS, Resolution 1980-162 Confirm Costs for abating nuisances at 2902 Ligon Street in the name of Bealie Morgan; and

WHEREAS, it has not been found that Mr. Morgan was the incorrect property owner at the time of the confirmation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Resolution 1980-162 as it relates to 2902 Ligon Street be amended to reflect the correct owner of the property as John S. Lawrence.

Section 2. That no other portions of Resolution 1980-162 are affected by adoption of this resolution.

PUBLIC NUISANCE COST CONFIRMATION - VARIOUS LOCATIONS - RESOLUTION ADOPTED; 516 NORTH PERSON STREET - DEFERRED TO JANUARY 3, 1984 AGENDA

This was a hearing to consider adoption of a resolution confirming costs of abating public nuisances as described below. The cost, if confirmed, will become a lien against the land in the name of the property owner. Mayor Upchurch opened and closed the hearing on each individual case.

516 Person Street - Zoie Perry Russell, Heirs - $190.00

Mr. Upchurch indicated former Councilman Jordan contacted him about this location earlier in the day. He indicated the question is whether this building and the questions relating to this building were referred to the Historic Properties Commission and went through the Commission. Housing Inspections Supervisor Bartholomew indicated it was referred to the Historic Properties Commission and it is his understanding that a report will be made by them at the January 3 meeting. He suggested this item be held until the next meeting. Mr. Walters indicated he understands this cost confirmation is for work that was done and it has gone through the whole process and he feels it should be confirmed. Mayor Upchurch suggested that it be held until the next meeting to received the report from the Historic Properties Commission. Without objection, this was agreed to.

1008 East Jones Street - W.A. Myatt - $125.00

No one asked to be heard. Mr. Keller moved adoption of a resolution confirming charges as outlined. His motion was seconded by Ms. Block and put to a roll call vote which passed unanimously. The Mayor ruled the motion adopted. See Resolution 421.

509 North King Charles, Joseph E. Jacobs - $145.00

No one asked to be heard. Mr. Keller moved adoption of a resolution confirming charges as outlined. His motion was seconded by Mr. Congleton and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Resolution 421.

809 East Hargett Street, Percy L. Foxwell - $368.00

No one asked to be heard. Mr. Keller moved adoption of a resolution confirming charges as outlined. His motion was seconded by Ms. Block and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. 1983-421

A RESOLUTION ASCERTAINING AND COMPUTING THE TOTAL COST OF ABATING CERTAIN NUISANCES IN THE CITY OF RALEIGH, CONFIRMING THE SAME AND ASSESSING THE COST OF ABATEMENT AGAINST THE PROPERTY ON WHICH THE NUISANCE EXISTED

WHEREAS, the City Council of the City of Raleigh, pursuant to Chapter 160A of the General Statutes and Sections 2.14(33), (51), 22-51 and Sections 6.35 and 6.36 of the Charter of the City of Raleigh (Chapter 1184 of the 1949 Session Laws of North Carolina as amended) has the authority to prevent, abate and declare unlawful nuisances and to make the cost of said abatement a lien against the premises where the nuisances existed; and

WHEREAS, pursuant to said Statutes, the City Council of the City of Raleigh has adopted Part 7, Chapter 5 of the Code of the City of Raleigh, relating to the abatement of nuisances; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the nuisances as set out herein have been abated at the cost set out herein, pursuant to the Code of the City of Raleigh and more specifically Part 7, Chapter 5.

Section 2. That the City Council of the City of Raleigh hereby confirms the cost of abatement of the nuisances set out herein, pursuant to the General Statutes above referred to and makes the same a lien against the premises as provided in Part 7, Chapter 5 of the Code of the City of Raleigh.

PROPERTY OWNER	LOCATION	ABATEMENT COST
W. A. Myatt	1008 E. Jones Street Lot 8, Block G-26 Map G-2 I.D. No. 0049908	$ 125
Joseph E. Jacobs	509 N. King Charles Road Lot 41, Map 525 I.D. No. 0042707	145
Percy L. Foxwell	809 East Hargett Street Lot 35, Block B-12 Map B-2 I.D. No. 0047203	368

Section 3. That this resolution shall become effective December 20, 1983.

WATER ASSESSMENT ROLL 1004 CLIFTON STREET - HEARING - CONFIRMING RESOLUTION ADOPTED

This was a hearing to consider confirming costs for improvements as outlined on Water Assessment Roll 1104, Clifton Street, according to charges outlined in Resolution 1983-399 adopted on November 15, 1983. Chief Engineer Thomas explained the location and the improvements.

Mr. Walters indicated some of the property owners are still very upset about this line, pointing out if it had not been for the fact that the City had to provide distribution to other parts of the City, the two inch line they had would have been sufficient. He indicated in addition, the company who did the work was operating under bankruptcy and did a poor job, pointing out the infill dirt was full of cement block and other debris. He indicated it is unfortunate for the people on Clifton Street that all City lines were being upgraded to six inches and the City could not make an exception. He stated he feels it is hard on these people to have to pay for something that is the benefit of the City as a whole. He indicated he thought there was still some problems in this area, as some of the water meters are on private property, as the people doing the work did not realize there was a 50 foot right-of-way throughout. The Mayor opened the hearing, no one asked to be heard, thus the hearing was closed. Ms. Block moved adoption of a resolution confirming the cost, pointing out in her opinion the people will benefit from the six inch line as the water circulation will make it worthwhile. Her motion was seconded by Ms. Babb and after brief discussion put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Resolution 422.

SEWER ASSESSMENT ROLL 1003 - HOUSE CREEK - HEARING - CONFIRMING RESOLUTION ADOPTED

This was a hearing to consider confirming costs for improvements outlined in Sewer Assessment Roll 1003 - House Creek Outfall area, according to charges outlined in Resolution 1983-398 adopted on November 15, 1983. Chief Engineer Thomas explained the work that had been completed. Mayor Upchurch opened the hearing. No one asked to be heard, thus the hearing was closed. Mr. Keller moved adoption of a resolution confirming charges as outlined. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. 1983-422

A RESOLUTION CONFIRMING SPECIAL WATER AR 1004 AND SEWER AR 1003

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That pursuant to notice of the completion of the assessment roll and notice of the meeting of the City Council hereinafter referred to, published according to law in The Raleigh Times, a newspaper legally qualified to publish legal advertising, and following a public hearing of allegations and objections of all interested persons appearing and making proof in relation thereto at a meeting of the City Council for that purpose held on the twentieth day of December, 1983, at the time and place fixed in accordance with statute, the City Council of the City of Raleigh does hereby approve, ratify and confirm the assessments heretofore made by Resolution 1983-399 and 398 adopted on the fifteenth day of November, 1983, which assessments appear on "The City of Raleigh Special Water AR 1004 and Sewer AR 1003," against the lots and parcels of land abutting directly on the improvements, according to the extent of their respective frontage thereon, all as shown on said assessment roll which is hereby incorporated into and made a part of this resolution by reference thereto, the assessment roll being on file in the office of the City Clerk and Treasurer.

Section 2. That from the time of the adoption of this resolution confirming the said assessments, the assessments embraced in the aforesaid assessment roll shall be a lien on the real estate against which the same are assessed as provided by Statute.

Section 3. That the terms and manner of the payment of the assessments herein provided for shall be as follows: That said assessment shall be payable in cash, or if any property owner should so elect and give notice of the fact in writing to the City of Raleigh in accordance with provisions of Article 10 of Chapter 160A of the General Statutes of North Carolina, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of 6% per annum from the date of confirmation of the assessment rolls payable annually upon the unpaid balance of the assessment.

Section 4. That the assessments confirmed by this resolution and all payments of principal and interest thereof, shall be recorded in "The City of Raleigh Special Assessment Book" which shall be maintained and kept by the City Revenue Collector, who is hereby charged with the duty of collecting and accounting for all sums of principal and interest assessed by this resolution.

Adopted: 12/20/83

STREET CLOSING - BELLEVUE DRIVE EXTENSION - HEARING - RESOLUTION CLOSING STREET ADOPTED

This was a hearing to consider the permanent closing of an unimproved right-of-way known as the extension of Bellevue Drive. The hearing is pursuant to petition,

resolution of intent and notification and advertisement as required by law. Planning Director Chapman explained the proposal and the location of the street in question. Mayor Upchurch opened the hearing to the public. Ms. Block questioned if there is a structure on Lot 745 and this was discussed briefly. No one asked to be heard, thus the hearing was closed. Ms. Cates moved adoption of a resolution permanently closing the unimproved right-of-way known as the extension of Bellevue Drive as advertised. Her motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1983) 423

A RESOLUTION ORDERING THE CLOSING OF AN EXTENSION OF BELLEVUE DRIVE AS DESCRIBED HEREIN

WHEREAS, a petition has been filed with the City Council of the City of Raleigh for the closing of an extension of Bellevue Drive right-of-way; and

WHEREAS, pursuant to Article 15 of Chapter 160A of the General Statutes of North Carolina, a resolution was adopted by the City Council declaring its intent to close said portion of said street and calling for a public hearing on the question, published as required by law, and notice of public hearing was posted along said street, all as required by law; and

WHEREAS, from facts and information, it appears to the satisfaction of the City Council that the closing of said street is not contrary to the public interest and that no individual owning property in the vicinity of said street will thereby be deprived of reasonable means of ingress and egress to this property.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF RALEIGH THAT

Section 1. The above described portion of Bellevue Drive be closed permanently as follows:

> BEING the southernmost extension of Bellevue Drive located between Tax Parcels 494 and 493 on Wake County Tax Map No. 435. Said right-of-way being 50' in width and 200' in depth and is unimproved.

Section 2. This resolution be registered in the Office of the Register of Deeds of Wake County, North Carolina upon proof that the listed conditions, if any, have been met which would make this closing effective.

Adopted: 12/20/83

Effective: 12/20/83

ADJOURNMENT

There being no further business, the meeting adjourned at 7:40 p.m.

Gail G. Smith
City Clerk

np/2/h